
Changes to legislation: There are currently no known outstanding effects for the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023, Paragraph 17. (See end of Document for details)

SCHEDULES

SCHEDULE 1

THE ICIR, THE COMMISSIONERS AND ICIR OFFICERS

PART 5

ICIR OFFICERS

Seconded ICIR officers

- 17 (1) Seconded ICIR officers are under the direction and control of the ICIR in the same way as employed ICIR officers.
- (2) In the case of the secondment of a member of a police force to be a seconded ICIR officer—
- (a) arrangements for the secondment are to be made with the chief officer of that police force; and
 - (b) the arrangements must provide for the ICIR to pay the policing body responsible for that police force the amount that is specified in, or determined in accordance with, the arrangements.
- (3) If a seconded ICIR officer is a constable in any police force, the powers and privileges which that person has by virtue of being a constable are not exercisable in Northern Ireland—
- (a) from the time when the person becomes an ICIR officer;
 - (b) but are revived if the person—
 - (i) ceases to be an ICIR officer, and
 - (ii) returns to service as a constable.
- (4) Sub-paragraph (3) ceases to apply to a person who resigns from, or otherwise ceases to hold, the office of constable.
- (5) Service as a seconded ICIR officer is—
- (a) relevant service for the purposes of section 27 of the Police (Northern Ireland) Act 1998 (members of the PSNI engaged on other police service), if the person seconded is a member of the PSNI,
 - (b) relevant service for the purposes of section 97 of the Police Act 1996 (police officers engaged on service outside their force), if the person seconded is a member of a police force as defined in section 101 of that Act), and
 - (c) temporary service outwith the Police Service of Scotland under section 15(1) of the Police and Fire Reform (Scotland) Act 2012 ([asp 8](#)), if the person seconded is a constable in the Police Service of Scotland.
- (6) If a member of the PSNI is a seconded ICIR officer, the application of—
- (a) section 35 of the Police (Northern Ireland) Act 1998, or

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- (b) any provision under the law of England and Wales or Scotland that has a corresponding effect,

to the person does not affect the person’s ability, as an ICRIR officer, to be a member of any trade union or association.

(7) In this paragraph—

“chief officer” means—

- (a) the Chief Constable of the PSNI, in the case of the secondment of a member of the PSNI, or
 (b) the chief officer of a police force in Great Britain, in the case of the secondment of a member of the force;

“police force” means—

- (a) the PSNI, or
 (b) a police force in Great Britain;

“policing body responsible for” a police force means—

- (a) in the case of the PSNI, the Northern Ireland Policing Board;
 (b) in the case of a police force maintained under section 2 of the Police Act 1996, the Police and Crime Commissioner for the police area for which that force is maintained;
 (c) in the case of the metropolitan police force, the Mayor’s Office for Policing and Crime;
 (d) in the case of the City of London police force, the Common Council of the City of London as police authority for the City of London police area;
 (e) in the case of the Police Service of Scotland, the Scottish Police Authority;
 (f) in the case of the Ministry of Defence Police, the Secretary of State;
 (g) in the case of the British Transport Police, the British Transport Police Authority.

Commencement Information

- I1** Sch. 1 para. 17 not in force at Royal Assent, see **s. 63(4)**
I2 Sch. 1 para. 17 in force at 1.12.2023 by S.I. 2023/1293, **reg. 2(a)**

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