
STATUTORY INSTRUMENTS

2002 No. 2306

**The Police Reform Act 2002
(Commencement No. 1) Order 2002**

2. The following provisions of the 2002 Act shall come into force on 1st October 2002—
- (a) Part 1 and Schedule 1 (powers of the Secretary of State);
 - (b) in Part 2 (complaints and misconduct)—
 - (i) section 9(2) to (4) (Independent Police Complaints Commission) for the purpose of making appointments, and section 9(6) in so far as necessary for the purposes of sub-paragraph (ii) below;
 - (ii) paragraph 5(5) of Schedule 2 (chief executive of IPCC);
 - (iii) section 13 (handling of complaints and conduct matters) in so far as necessary for the purposes of article 4(e) below;
 - (iv) section 14(2) and (3) (guidance);
 - (v) section 19 (order authorising use of investigatory powers);
 - (vi) section 23 (regulations) and section 24 (consultation on regulations) except paragraph (a);
 - (vii) section 25 (NCIS and NCS) except subsection (4); and
 - (viii) sections 28 (transitional arrangements) and 29 (interpretation of Part 2);
 - (c) in Part 3 (removal, suspension and disciplining of police officers)—
 - (i) section 34 (regulations concerning procedure for removal of senior officers);
 - (ii) section 35 (disciplinary regulations for special constables); and
 - (iii) section 36 (conduct of disciplinary proceedings);
 - (d) in Part 4 (police powers etc)—
 - (i) section 39(9), (10) and (11)(a), (b) and (d) (regulations concerning complaints against contracted-out staff);
 - (ii) section 43 (railway safety accreditation scheme);
 - (iii) section 47 (interpretation of Chapter 1);
 - (iv) sections 48 and 49 and Schedule 6 (powers of arrest);
 - (v) sections 56, 57(1) to (5) except for the words “or a registered health care professional” in subsection (3) and 58(4) to (8) (specimens taken from persons incapable of consenting);
 - (vi) section 60 (regulations for retention of vehicles);
 - (vii) sections 75 and 76 (British Transport Police); and
 - (viii) section 77 (application of Police (Property) Act 1897 to NCS);
 - (e) in Part 5 (Ministry of Defence Police), sections 78, 80 and 81;
 - (f) in Part 6 (miscellaneous)—
 - (i) section 82(4) (regulations as to nationality);

- (ii) section 83 (attestation);
 - (iii) section 85 (Director General of NCIS);
 - (iv) sections 88, 89, 90(3), (5) to (7), 91(3) and (5) to (7) (regulations for NCIS and NCS);
 - (v) in section 92(1) (three-year strategy plans), new section 6A(14) and (15) of the Police Act 1996(1);
 - (vi) section 93 (quorum for NCIS and NCS Service Authorities);
 - (vii) section 94 (expenses of members of police authorities);
 - (viii) section 97(10), (11), (13) and (14) (crime and disorder reduction partnerships);
 - (ix) section 99 (power to modify functions and structure of PITO);
 - (x) section 101 (provision of goods and services by police authorities);
 - (xi) section 102(1) to (6) (liability for wrongful acts of constables);
 - (xii) section 103(1) to (3) and (5) to (7) (liability in respect of members of teams); and
 - (xiii) section 104(1) and (3) (assaults on members of teams);
- (g) in Part 7 (supplemental)—
- (i) section 107 (consequential amendments and repeals) in so far as it relates to the entries in Schedules 7 and 8 in sub-paragraphs (ii) and (iii) below;
 - (ii) paragraphs 7(4), 11, 12, 14, 16, 17 and 21(1) and (2) of Schedule 7; and
 - (iii) in Schedule 8 (repeals), the entries relating to:
 - (a) the Road Traffic Act 1988;
 - (b) the Official Secrets Act 1989;
 - (c) section 62(1B) of the Police Act 1996;
 - (d) sections 6, 9A and 55A of the Police Act 1997;
 - (e) the Protection from Harassment Act 1997;
 - (f) sections 32 and 84 of the Crime and Disorder Act 1998;
 - (g) the Football (Offences and Disorder) Act 1999;
 - (h) the Countryside and Rights of Way Act 2000;
 - (i) the Criminal Justice and Court Services Act 2000;
 - (j) sections 12, 46 and 71 of the Criminal Justice and Police Act 2001; and
 - (k) the Anti-terrorism, Crime and Security Act 2001.