
STATUTORY INSTRUMENTS

2004 No. 815

**The Independent Police Complaints
Commission (Investigatory Powers) Order 2004**

Modifications to the 1997 Act

2.—(1) For the purposes of the carrying out of the functions of the Independent Police Complaints Commission, Part 3 of the 1997 Act shall have effect with the following modifications.

(2) In section 93 (authorisations to interfere with property etc.)—

(a) after subsection (3)(aa)(1) insert the following paragraph—

“(ab) if the authorising officer is within subsection (5)(ef), by a member of staff of the Independent Police Complaints Commission who has been designated under paragraph 19(2) of Schedule 3 to the Police Reform Act 2002,”;

(b) after subsection (5)(ee)(2) insert the following paragraph—

“(ef) the Chairman of the Independent Police Complaints Commission;”;

(c) in subsection (6)(e) after the words “in relation to” insert the words “the Chairman of the Independent Police Complaints Commission or”.

(3) In section 94 (authorisations given in absence of authorising officer)—

(a) in subsection (1)(b)(3) after the words “paragraph (a), (c), (d)” insert “, (ef)”;

(b) after subsection (2)(dd)(4) insert the following paragraph—

“(de) where the authorising person is within paragraph (ef) of that subsection, by any other member of the Independent Police Complaints Commission;”;

(c) after subsection (4)(c)(5) insert the following paragraph—

“(d) in the case of an authorising officer within paragraph (ef) of section 93(5), means a person appointed as deputy chairman of the Independent Police Complaints Commission under paragraph 3(1) of Schedule 2 to the Police Reform Act 2002.”.

(4) In section 95(7) (authorisations: form and duration etc.) after the words “paragraph (a), (c), (d),” insert “(ef),”.

(5) In section 105(3) (appeals by authorising officer: supplementary) after the words “paragraph (a), (c), (d),” insert “(ef),”.

(6) In section 107(4)(6) (supplementary provisions relating to Commissioners) after paragraph (a) insert the following paragraph—

“(aa) the functions of the Independent Police Complaints Commission,”.

(1) Section 93(3)(aa) was amended by section 82(1) of, and paragraph 8(2)(b) of Schedule 4 to, the 2000 Act.

(2) Section 93(5)(ee) was inserted by section 75(6)(a) of the 2000 Act.

(3) Section 94(1)(b) was amended by section 82(1) of, and paragraph 8(3) of Schedule 4 to, the 2000 Act.

(4) Section 94(2)(dd) was inserted by section 82(1) of, and paragraph 8(4)(a) of Schedule 4 to, the 2000 Act.

(5) Section 94(4)(c) was amended by section 82(2) of, and Schedule 5 to, the 2000 Act.

(6) Section 107(4) was amended by article 3 of, and paragraph 2(5)(c) of Schedule 6 to, the Scotland Act 1998 (Cross-Border Public Authorities) (Adaptation of Functions etc.) Order 1999 (S.I.1999/1747), and by section 82(1) of, and paragraph 8(10)(b) of Schedule 4 to, the 2000 Act.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
