

SCHEDULE 3

MODIFICATION OF SCHEDULE 3 TO THE 2002 ACT

- 8.—(1) Paragraph 10 shall be modified as follows.
- (2) In sub-paragraph (1)—
- (a) in paragraph (a) for—
 - (i) “a police authority or chief officer” (on both occasions where it occurs) substitute “the Head of the Home Civil Service, Chairman or Commissioners”;
 - (ii) for “has received” substitute “has or have received”; and
 - (iii) for “that authority or chief officer” substitute “the Head of the Home Civil Service, Chairman or Commissioners”;
 - (b) in paragraph (b) for “that authority or chief officer” substitute “the Head of the Home Civil Service, Chairman or Commissioners”.
- (3) In sub-paragraph (2)—
- (a) for “The authority or chief officer” substitute “The Head of the Home Civil Service, Chairman or Commissioners”;
 - (b) in paragraph (a) for “it or, as the case may be, he is” substitute “he is or, as the case may be, they are”; and
 - (c) in paragraph (b) for “if it or he is not” substitute “if he is or they are not”.
- (4) In sub-paragraph (3)—
- (a) at the beginning insert “Subject to sub-paragraphs (3A) and (3B),”;
 - (b) for “a police authority or chief officer determines” substitute “the Head of the Home Civil Service, Chairman or Commissioners determines or determine”;
 - (c) for “it or, as the case may be, he is” substitute “he is, or as the case may be, they are”, and
 - (d) for “it or he” substitute “he or they”.
- (5) After sub-paragraph (3) insert—
- “(3A) Nothing in sub-paragraph (3) shall require the Head of the Home Civil Service, as the appropriate authority, to record a conduct matter if he is satisfied that matter falls within subsection 12(1)(b) of this Act.
 - “(3B) Nothing in sub-paragraph (3) shall require the Chairman or the Commissioners, as the appropriate authority, to record a conduct matter if he is or they are satisfied that—
 - (a) the matter falls within subsection 12(1)(b) of this Act; and
 - (b) any disciplinary proceedings which were brought would be unlikely to result in the termination of an office or employment.”.