
STATUTORY INSTRUMENTS

2006 No. 378

**The Serious Organised Crime and Police Act
2005 (Commencement No. 5 and Transitional and
Transitory Provisions and Savings) Order 2006**

2.—(1) Subject to paragraphs (2) to (4), section 1(1) and (2) of, and Schedule 1 (except paragraphs 9(4), 12 and 13 and 15(5)) to, the Act shall come into force on 1st March 2006 for the purposes of—

- (a) making appointments which take effect before 1st April 2006 of the chairman and other members of SOCA;
- (b) SOCA exercising the powers in section 6 (annual plans) of the Act;
- (c) SOCA exercising the powers in paragraph 8(1)(b) and (2) of Schedule 1 to the Act in respect of appointments or secondments to take effect on or after 1st April 2006;
- (d) SOCA exercising its power under paragraphs 15(1) and 16(1) of Schedule 1 to the Act in respect of committees and delegation to take effect on or after 1st April 2006;
- (e) making determinations under paragraph 17 of Schedule 1 to the Act;
- (f) SOCA exercising functions under paragraph 21 of Schedule 1 to the Act, section 26A of the Police Reform Act 2002(1) or section 60ZA of the Police (Northern Ireland) Act 1998(2);
- (g) the Director General of SOCA exercising the powers in section 44(1) of the Act and paragraph 11 of Schedule 1 to the Act (delegation);
- (h) the Director General of SOCA, or any employee of SOCA to whom functions under section 43 of the Act have been delegated, exercising the functions in that section (designation of SOCA staff) to take effect on or after 1st April 2006.

(2) Paragraphs 1(4) and 9(3)(b) of Schedule 1 to the Act (consultation with the Scottish Ministers) do not apply to the first exercise of the powers conferred by paragraphs 1(3) and 9(1)(a) of that Schedule.

(3) During the period prior to 1st April 2006, paragraph 6(1) of Schedule 1 to the Act (remuneration etc. of chairman and ordinary members) shall have effect as if the references to SOCA were references to the Secretary of State.

(4) A person may be appointed as an ex-officio member of SOCA (including the Director General), notwithstanding that his appointment as an employee of SOCA does not take effect until on or after 1st April 2006.

(5) A person appointed as a member of SOCA (including the Director General) may exercise the powers referred to in paragraph (1) prior to his appointment taking effect.

(1) 2002 c. 30; section 26A was inserted by Schedule 2 to the Serious Organised Crime and Police Act 2005.

(2) 1998 c. 32; section 60ZA was inserted by section 55(2) of the Serious Organised Crime and Police Act 2005.