
STATUTORY INSTRUMENTS

2008 No. 212

IMMIGRATION

The Independent Police Complaints Commission (Immigration and Asylum Enforcement Functions) Regulations 2008

Made - - - - - *31st January 2008*
Laid before Parliament *4th February 2008*
Coming into force *25th February 2008*

**THE INDEPENDENT POLICE COMPLAINTS
COMMISSION (IMMIGRATION AND ASYLUM
ENFORCEMENT FUNCTIONS) REGULATIONS 2008**

1. Citation and commencement
2. Interpretation
3. Conferral of functions on the Independent Police Complaints Commission
4. The Commission shall not have functions in relation to—
5. Application of provisions of the 2002 Act with modifications
6. Application of other provisions with modifications
7. Disclosure of Information
8. Use of Information
Signature

SCHEDULE 1 — MODIFICATION OF PART 2 OF THE 2002 ACT

1. (1) Section 10 of the 2002 Act (general functions of...
2. (1) Section 11 of the 2002 Act (reports to the...
3. (1) Section 12 of the 2002 Act (complaints, matters and...
4. (1) Section 14 of the 2002 Act (direction and control...
5. (1) Section 15 of the 2002 Act (general duties of...
6. (1) Section 16 of the 2002 Act (payment for assistance...
7. Section 16A of the 2002 Act (investigations: National Policing Improvement...
8. (1) Section 17 of the 2002 Act (provision of information...
9. (1) Section 18 of the 2002 Act (inspections of police...
10. (1) Section 20 of the 2002 Act (duty to keep...
11. (1) Section 21 of the 2002 Act (duty to provide...

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12. (1) Section 22 of the 2002 Act (power of the...
13. (1) Section 23 of the 2002 Act (regulations) is modified...
14. (1) Section 24 (consultation on regulations) is modified as follows....
15. Sections 26 (forces maintained otherwise than by police authorities), 26A...
16. (1) Section 29 of the 2002 Act (interpretation of Part...

SCHEDULE 2 — MODIFICATION OF SCHEDULE 3 TO THE 2002 ACT

1. Schedule 3 to the 2002 Act is modified as follows....
2. (1) Paragraph 1 (duties to preserve evidence relating to complaints)...
3. (1) Paragraph 2 (initial handling and recording of complaints) is...
4. (1) Paragraph 3 (failures to notify or record a complaint)...
5. (1) Paragraph 4 (reference of complaints to the Commission) is...
6. In paragraph 5 (duties of Commission on references under paragraph...
7. (1) Paragraph 6 (handling of complaints by the appropriate authority)...
8. Paragraphs 7 (dispensation by the Commission from requirements of Schedule),...
9. (1) Paragraph 10 (conduct matters arising in civil proceedings) is...
10. In paragraph 11 (recording etc. of conduct matters in other...
11. (1) Paragraph 12 (duties to preserve evidence relating to conduct...
12. (1) Paragraph 13 (reference of conduct matters to the Commission)...
13. In paragraph 14 (duties of Commission on references under paragraph...
14. In paragraph 14A (duty to record DSI matters), in sub-paragraph...
15. (1) Paragraph 14B (duty to preserve evidence relating to DSI...
16. In paragraph 14D (duties of Commission on references under paragraph...
17. In paragraph 15 (power of the Commission to determine the...
18. (1) Paragraph 16 (investigations by the appropriate authority on its...
19. (1) Paragraph 17 (investigations supervised by the Commission) is modified...
20. After paragraph 17 insert— Investigations by a police force under...
21. In paragraph 18 (investigations managed by the Commission), in sub-paragraph(2)...
22. After paragraph 18 insert— Investigations by a police force under...
23. In paragraph 19 (investigations by the Commission itself), sub-paragraphs (3)...
24. (1) Paragraph 20 (restrictions on proceedings pending the conclusion of...
25. Omit paragraphs 20A to 20I (accelerated procedure in special cases)....
26. (1) Paragraph 21 (power of the Commission to discontinue an...
27. (1) Paragraph 21A (procedure where conduct matter is revealed during...
28. (1) Paragraph 22 (final reports on investigations: complaints, conduct matters...
29. (1) Paragraph 24A (final reports on investigations: other DSI matters)...
30. (1) Paragraph 24B (action by the Commission in response to...
31. In paragraph 24C (action by the Commission in response to...
32. (1) Paragraph 25 (appeals to the Commission with respect to...
33. In paragraph 27 (duties with respect to disciplinary proceedings), in...
34. (1) Paragraph 28 (information for complainant about disciplinary recommendations) is...

SCHEDULE 3 — MODIFICATION OF THE COMPLAINTS REGULATIONS

1. The Complaints Regulations are modified as follows.
2. (1) Regulation 1 (citation, commencement and interpretation) is modified as...
3. (1) Regulation 2 (reference of complaints to the Commission) is...

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4. Regulation 3 (dispensation by the Commission) and regulation 4 (local...
5. (1) Regulation 5 (recording and reference of conduct matters) is...
6. (1) Regulation 6 (power of Commission to impose requirements in...
7. (1) Regulation 8 (appeals to the Commission: failures to notify...
8. Regulation 9 (appeals to the Commission: local resolution) shall be...
9. (1) Regulation 11 (manner in which duties to provide information...
10. (1) Regulation 18 (appointment of persons to carry out investigations)...
11. (1) Regulation 21 (complaints against a person who has subsequently...
12. (1) Regulation 25 (register to be kept by the Commission)...
13. Regulations 26 (delegation of powers and duties by chief officer),...

SCHEDULE 4 — MODIFICATION TO THE STAFF CONDUCT REGULATIONS

1. (1) The Staff Conduct Regulations are modified as follows.
2. (1) Regulation 2 (conduct of Commission's staff) is modified as...

Explanatory Note