

SCHEDULES

SCHEDULE 3

Amendments relating to policing

Police (Northern Ireland) Act 2000

74.—(1) Amend section 59(1) (general duty of Chief Constable to report to Policing Board) as follows.

(2) In subsection (3) for “any of the grounds mentioned in section 76A(1)” substitute “the ground mentioned in section 76A(1)(a)”.

(3) After subsection (3) insert—

“(3A) The Chief Constable may refer to the Minister of Justice a requirement to submit a report under subsection (1) if it appears to the Chief Constable that a report in compliance with the requirement would contain information which ought not to be disclosed on any of the grounds mentioned in section 76A(1)(b) or (c).”

(4) For subsection (4) substitute—

“(4) Where a requirement to submit a report is referred to the Secretary of State under subsection (3) or to the Minister of Justice under subsection (3A), the Secretary of State or (as the case may be) the Minister of Justice may—

(a) within the period of 30 days from the date of the referral, or

(b) within such longer period as may be agreed between the Board and (as the case may be) the Secretary of State or the Minister of Justice,

modify or set aside the requirement, as necessary, for either or both of the purposes mentioned in subsection (4A).”

(5) In subsection (4A)(a) for “information which, in the opinion of the Secretary of State, ought not to be disclosed on any of the grounds mentioned in section 76A(1)” substitute—

“, as the case may be—

(i) information which, in the opinion of the Secretary of State, ought not to be disclosed on the ground mentioned in section 76A(1)(a); or

(ii) information which, in the opinion of the Minister of Justice, ought not to be disclosed on any of the grounds mentioned in section 76A(1)(b) or (c);”.

(6) In subsection (4B)(b) after “subsection (3)” insert “or to the Minister of Justice under subsection (3A)”.

(7) For subsections (4H) and (4I) substitute—

“(4H) Subsection (4I) applies if—

(a) the Chief Constable supplies to a committee under subsection (4D) information which, in the opinion of the Chief Constable, is information which ought not to be disclosed on the ground mentioned in section 76A(1)(a), or

(1) Section 59 was amended by sections 10 and 27 of the Police (Northern Ireland) Act 2003.

Status: This is the original version (as it was originally made).

- (b) the Chief Constable includes information in a report to the Board and is of the opinion that the information is information which ought not to be disclosed on the ground mentioned in section 76A(1)(a).
- (4I) The Chief Constable must—
 - (a) inform the Secretary of State that the information has been included in a report to the Board or supplied to the committee; and
 - (b) inform the Secretary of State and the recipient of the information that, in his opinion, the information is information which ought not to be disclosed on the ground mentioned in section 76A(1)(a).
- (4J) Subsection (4K) applies if—
 - (a) the Chief Constable supplies to a committee under subsection (4D) information which, in the opinion of the Chief Constable, is—
 - (i) information the disclosure of which would be likely to put an individual in danger, or
 - (ii) information which ought not to be disclosed on any of the grounds mentioned in section 76A(1)(b) or (c), or
 - (b) the Chief Constable includes information in a report to the Board and is of the opinion that the information is—
 - (i) information the disclosure of which would be likely to put an individual in danger, or
 - (ii) information which ought not to be disclosed on any of the grounds mentioned in section 76A(1)(b) or (c).
- (4K) The Chief Constable must—
 - (a) inform the Minister of Justice that the information has been included in a report to the Board or supplied to the committee; and
 - (b) inform the Minister of Justice and the recipient of the information that, in his opinion, the information is information of a kind mentioned in sub-paragraph (i) or (ii) of paragraph (a) or (b) of subsection (4J).”