

SCHEDULE 2

Exercise of functions by constables and members of non-territorial police organisations

Application of 2016 Act to Ministry of Defence Police

1. After section 2C of the Ministry of Defence Police Act 1987(1) insert—

“2D Exercise of powers and privileges in Scotland

(1) Where a member of the Ministry of Defence Police exercises in Scotland any power or privilege of a constable, Parts 1 and 2 of the Criminal Justice (Scotland) Act 2016 (in this section “the 2016 Act”) apply in relation to the exercise as though the power or privilege were exercised by a constable of the Police Service of Scotland.

(2) For the purposes of subsection (1)—

- (a) in section 64 of the 2016 Act (police custody), references to a person arrested by a constable are to be read as including a person arrested by a member of the Ministry of Defence Police,
- (b) section 69 of the 2016 Act (publication of information by police) does not apply.”.

(1) 1987 c.4. Section 2C is inserted by the Serious Organised Crime and Police Act 2005 (c.15), Schedule 4, paragraphs 48 and 50; it is amended by the Crime and Courts Act 2013 (c.22), Schedule 8, paragraph 31.