



# Police, Public Order and Criminal Justice (Scotland) Act 2006

2006 asp 10

## POLICE, PUBLIC ORDER AND CRIMINAL JUSTICE (SCOTLAND) ACT 2006

### PART 1

#### POLICE

#### CHAPTER 1

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- 83 Retention of samples etc.: prosecutions for sexual and violent offences

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SCHEDULE 1 — The Scottish Police Services Authority

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The Scottish Police Services Authority

SCHEDULE 2 — Membership of the Scottish Crime and Drug Enforcement Agency

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Membership of the Scottish Crime and Drug Enforcement Agency

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Transfers of staff and property

SCHEDULE 4 — The Police Investigations and Review Commissioner

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### *Status*

- 1 (1) The Commissioner— (a) is not a servant or agent...

### *Limitations on appointment*

- 2 (1) A person is disqualified for appointment to the office...

### *Tenure and removal from office*

- 3 (1) Subject to this paragraph and paragraph 4, a person...

### *Remuneration*

- 4 The Commissioner is entitled to— (a) a salary of such...

### *Pensions etc.*

- 5 (1) The Scottish Ministers may pay or make arrangements for...

### *Vacancy in office of Commissioner*

- 6 (1) The Scottish Ministers may appoint a person (who may...

### *Staff*

- 7 (1) The Commissioner may appoint such staff as the Commissioner...

### *Staff officers*

- 7A (1) The Commissioner may make arrangements for constables of the...

### *Staff involved in investigations*

- 7B (1) The Commissioner may designate— (a) any member of the...

### *General powers*

- 8 The Commissioner may do anything which appears necessary or expedient...

### *Financial provision*

- 9 (1) The Scottish Ministers are to pay—

### *Accounts*

- 10 The Commissioner must, in accordance with such directions as the...

### *Provision of information*

- 11 (1) The Commissioner must provide the Scottish Ministers with all...

### SCHEDULE 5 — Section 53(2)(b): Relevant events etc.

- 1 For the purpose of section 53(2)(b)— (a) relevant events are...  
2 In the table in paragraph 1— “details”, in relation to...

### SCHEDULE 6 — Modifications of enactments

#### Part 1 — ACTS

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*The Police (Scotland) Act 1967 (c. 77)*

- 1 (1) The 1967 Act is modified as follows.

*The Criminal Justice Act 1988 (c. 33)*

- 2 In section 142(3) of the Criminal Justice Act 1988 (power...

*The Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 (c. 40)*

- 3 In Part II of Schedule 2 to the Criminal Procedure...

*The Criminal Procedure (Scotland) Act 1995 (c. 46)*

- 4 (1) The 1995 Act is modified as follows.

*The Police Act 1996 (c. 16)*

- 5 (1) The Police Act 1996 is modified as follows.

*The Police Act 1997 (c. 50)*

- 6 (1) The Police Act 1997 is modified as follows.

*The Ethical Standards in Public Life etc. (Scotland) Act 2000 (asp 7)*

- 7 In schedule 3 to the Ethical Standards in Public Life...

*The Regulation of Investigatory Powers Act 2000 (c. 23)*

- 8 In section 76A(11) of the Regulation of Investigatory Powers Act...

*The Regulation of Investigatory Powers (Scotland) Act 2000 (asp 11)*

- 9 (1) The Regulation of Investigatory Powers (Scotland) Act 2000 is...

*The Scottish Public Services Ombudsman Act 2002 (asp 11)*

- 10 (1) The Scottish Public Services Ombudsman Act 2002 is amended...

*The Freedom of Information (Scotland) Act 2002 (asp 13)*

- 11 In schedule 1 to the Freedom of Information (Scotland) Act...

*The Public Appointments and Public Bodies etc. (Scotland) Act 2003 (asp 4)*

- 12 In schedule 2 to the Public Appointments and Public Bodies...

*The Serious Organised Crime and Police Act 2005 (c. 15)*

- 13 (1) The Serious Organised Crime and Police Act 2005 is...

Part 2 — SUBORDINATE LEGISLATION

*The Regulation of Investigatory Powers (Prescription of Offices,  
Ranks and Positions) (Scotland) Order 2000 (S.S.I. 2000/343)*

- 14 In the Schedule to the Regulation of Investigatory Powers  
(Prescription...

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**Changes and effects yet to be applied to :**

- s. 91(8)(b) words substituted by [2007 asp 17 sch. 4 para. 5\(2\)](#)
- s. 92(5) words substituted by [2007 asp 17 sch. 4 para. 5\(3\)](#)
- s. 94(3)(b) words repealed by [2007 asp 17 sch. 4 para. 5\(4\)\(b\)](#)
- s. 94(3)(b) words substituted by [2007 asp 17 sch. 4 para. 5\(4\)\(a\)](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 47A inserted by [2023 c. 41 s. 45\(3\)](#)