



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

2006 asp 10

PART 1

POLICE

CHAPTER 2

COMPLAINTS AND MISCONDUCT

Supervision of complaints

39 Power of Commissioner to discontinue reconsideration

- (1) If it appears to the Commissioner (whether on an application by the reconsidering authority or otherwise) that a relevant complaint which is being reconsidered under section 35 is of a specified description, the Commissioner may by order require the discontinuance of the reconsideration.
- (2) In subsection (1), “specified” means specified in regulations made by the Scottish Ministers.
- (3) Where the reconsideration of a complaint is discontinued in accordance with this section—
 - (a) the Commissioner must notify the persons mentioned in section 38(3) of that fact;
 - (b) the Commissioner must give a copy of the order requiring the discontinuance to the reconsidering authority and the person appointed to reconsider the complaint;
 - (c) the Commissioner may give the reconsidering authority or the person appointed to reconsider the complaint directions to do any such things as the Commissioner is authorised to direct by regulations made by the Scottish Ministers;

Status: This is the original version (as it was originally enacted).

- (d) the Commissioner may himself or herself take any steps of a description specified in regulations so made as the Commissioner considers appropriate for purposes connected with the discontinuance of the reconsideration; and
- (e) subject to paragraphs (c) and (d), the reconsidering authority, the person appointed to reconsider the complaint and the Commissioner are to take no further action in accordance with this Chapter in relation to that complaint.