



Police and Fire Reform (Scotland) Act 2012

2012 asp 8

PART 1

POLICE REFORM

CHAPTER 10

COMPLAINTS AND INVESTIGATIONS

66 **Investigations: procedure etc.**

After section 41C of the 2006 Act (inserted by section 65), insert—

“41D Investigations: procedure etc.

- (1) The Scottish Ministers may by regulations make such provision about investigations by the Commissioner in pursuance of paragraph (c) or (d) of section 33A as they consider appropriate.
- (2) Regulations may, in particular, make provision—
 - (a) requiring the chief constable or the Authority to refer matters to the Commissioner;
 - (b) about circumstances in which the Commissioner—
 - (i) must, must not or need not carry out an investigation; or
 - (ii) may discontinue an investigation;
 - (c) about the form and procedure of an investigation;
 - (d) imposing restrictions on the extent of any investigation;
 - (e) setting time limits within which matters must be investigated;
 - (f) requiring the chief constable, the Authority or other persons to assist and co-operate with the Commissioner when carrying out an investigation (by providing evidence, attending hearings or otherwise);
 - (g) for the delegation of functions to the Commissioner.

Status: This is the original version (as it was originally enacted).

- (3) Before making regulations under this section, the Scottish Ministers must consult—
- (a) the Commissioner;
 - (b) the Authority;
 - (c) the chief constable;
 - (d) such persons as appear to them to be representatives of senior officers;
 - (e) such persons as appear to them to be representatives of superintendents (including chief superintendents);
 - (f) the joint central committee of the Police Federation for Scotland; and
 - (g) such other persons as they think appropriate.”.