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**Changes to legislation:** Policing and Crime Act 2017, Part 2 is up to date with all changes known to be in force on or before 07 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 12

#### POWERS OF CIVILIAN STAFF AND VOLUNTEERS: FURTHER AMENDMENTS

##### PART 2

##### OTHER AMENDMENTS

- 6 (1) Schedule 1 to the Representation of the People Act 1983 (parliamentary election rules) is amended as follows.
- (2) In paragraph 31(2)—
- (a) after “community support officer” insert “ or community support volunteer ”;
- (b) in the words in brackets, after “employees” insert “ or volunteers ”.
- (3) In paragraph 32(5)—
- (a) after “community support officer” insert “ or community support volunteer ”;
- (b) in the words in brackets, after “employees” insert “ or volunteers ”.

##### Commencement Information

- I1** Sch. 12 para. 6 in force for certain purposes at Royal Assent, see s. 183
- I2** Sch. 12 para. 6 in force at 15.12.2017 in so far as not already in force by S.I. 2017/1139, reg. 2(k) (as amended by S.I. 2017/1162, reg. 2)

- 7 (1) The Police and Criminal Evidence Act 1984 is amended as follows.
- (2) In section 55 (intimate searches), in subsection (17), in the definition of “appropriate officer”, omit paragraph (b).
- (3) In section 64A (photographing of suspects etc), in subsection (1B)—
- (a) in paragraph (c), for “with a community support officer under paragraph 2(3) or (3B) of Schedule 4” substitute “ with a community support officer or a community support volunteer under paragraph 7 of Schedule 3B ”;
- (b) for paragraph (e) substitute—
- “(e) given a fixed penalty notice by a community support officer or community support volunteer who is authorised to give the notice by virtue of his or her designation under section 38 of the Police Reform Act 2002;”.
- (4) In section 67 (codes of practice - supplementary), in subsection (9A)(a), in the words in brackets, after “civilian staff” insert “ and volunteers ”.

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**Commencement Information**

- I3** Sch. 12 para. 7 in force for certain purposes at Royal Assent, see s. 183  
**I4** Sch. 12 para. 7 in force at 15.12.2017 in so far as not already in force by S.I. 2017/1139, reg. 2(k) (as amended by S.I. 2017/1162, reg. 2)

- 8 In the Road Traffic Act 1988, in section 144 (exceptions from requirement of third-party insurance or security), in subsection (2)(b), after “in its capacity as a police authority,” insert “ by a police volunteer designated under section 38 of the Police Reform Act 2002, ”.

**Commencement Information**

- I5** Sch. 12 para. 8 in force for certain purposes at Royal Assent, see s. 183  
**I6** Sch. 12 para. 8 in force at 15.12.2017 in so far as not already in force by S.I. 2017/1139, reg. 2(k) (as amended by S.I. 2017/1162, reg. 2)

- 9 In the Road Traffic Offenders Act 1988, in section 79 (statements by constables), in subsection (2), after “civilian police employee” insert “ , or by a police volunteer designated under section 38 of the Police Reform Act 2002, ”.

**Commencement Information**

- I7** Sch. 12 para. 9 in force for certain purposes at Royal Assent, see s. 183  
**I8** Sch. 12 para. 9 in force at 15.12.2017 in so far as not already in force by S.I. 2017/1139, reg. 2(k) (as amended by S.I. 2017/1162, reg. 2)

- 10 (1) The Police Act 1996 is amended as follows.
- (2) In section 23AA (force collaboration provision about civilian employees)—
- (a) in subsection (1), for “designated civilian employees of one police force” substitute “ persons designated under section 38 of the Police Reform Act 2002 (“designated persons”) by the chief officer of one police force ”;
  - (b) in subsection (2), for “designated civilian employees” (in both places where it occurs) substitute “ designated persons ”;
  - (c) in subsection (3)—
    - (i) for “designated civilian employees” substitute “ designated persons ”;
    - (ii) for “those employees” substitute “ those persons ”;
  - (d) in subsection (4), for “designated civilian employees” substitute “ designated persons ”;
  - (e) in subsection (5) —
    - (i) in the opening words, for “civilian employees of the assisting force” substitute “ persons designated under section 38 of the Police Reform Act 2002 by the chief officer of the assisting force ”;
    - (ii) in each of paragraphs (a) to (c), for “civilian employees” substitute “ designated persons ”;
  - (f) in subsection (6), omit the definition of “designated”;
  - (g) in that subsection, in the definition of “relevant section 38 designation”—
    - (i) for “designated civilian employee” substitute “ designated person ”;

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(ii) for “the employee” substitute “ the person ”.

(3) In section 23I(7) (collaboration agreements: definition)—

- (a) omit the “and” at the end of paragraph (a);
- (b) at the end of paragraph (b), insert “and
- (c) references to persons who are under the direction and control of the chief officer of police by virtue of being volunteers with the force;”.

#### Commencement Information

- I9** Sch. 12 para. 10 in force for certain purposes at Royal Assent, see s. 183
- I10** Sch. 12 para. 10 in force at 15.12.2017 in so far as not already in force by S.I. 2017/1139, reg. 2(k) (as amended by S.I 2017/1162, reg. 2)

11 In the Crime and Disorder Act 1998, in section 66H (interpretation of Chapter 1), in paragraph (c), for “an investigating officer” substitute “ a policing support officer or a policing support volunteer ”.

#### Commencement Information

- I11** Sch. 12 para. 11 in force for certain purposes at Royal Assent, see s. 183
- I12** Sch. 12 para. 11 in force at 15.12.2017 in so far as not already in force by S.I. 2017/1139, reg. 2(k) (as amended by S.I 2017/1162, reg. 2)

12 In the Representation of the People Act 2000, in Schedule 4 (absent voters in Great Britain), in paragraph 2(5ZA)—

- (a) after “community support officer” insert “ or community support volunteer ”;
- (b) in the words in brackets, after “employees” insert “ or volunteers ”.

#### Commencement Information

- I13** Sch. 12 para. 12 in force for certain purposes at Royal Assent, see s. 183
- I14** Sch. 12 para. 12 in force at 15.12.2017 in so far as not already in force by S.I. 2017/1139, reg. 2(k) (as amended by S.I 2017/1162, reg. 2)

13 In the Terrorism Act 2000, in section 47AE (effect of code), in subsection (5), omit “paragraph 15 of Schedule 4 to the Police Reform Act 2002 or”.

#### Commencement Information

- I15** Sch. 12 para. 13 in force for certain purposes at Royal Assent, see s. 183
- I16** Sch. 12 para. 13 in force at 15.12.2017 in so far as not already in force by S.I. 2017/1139, reg. 2(k) (as amended by S.I 2017/1162, reg. 2)

14 In the Private Security Industry Act 2001, in Schedule 2 (activities liable to control under the Act), in paragraph 2, for sub-paragraph (7)(f) substitute—

- “(f) activities of a person designated under section 38 of the Police Reform Act 2002 (police powers for civilian staff and volunteers) which are carried out by virtue of the designation;”.

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**Commencement Information**

- I17** Sch. 12 para. 14 in force for certain purposes at Royal Assent, see s. 183  
**I18** Sch. 12 para. 14 in force at 15.12.2017 in so far as not already in force by S.I. 2017/1139, reg. 2(k) (as amended by S.I 2017/1162, reg. 2)

- 15 In the Anti-social Behaviour Act 2003 omit the following—
- (a) section 23(3) and (4);
  - (b) section 46(1);
  - (c) section 89(3) and (4).

**Commencement Information**

- I19** Sch. 12 para. 15 in force for certain purposes at Royal Assent, see s. 183  
**I20** Sch. 12 para. 15 in force at 15.12.2017 in so far as not already in force by S.I. 2017/1139, reg. 2(k) (as amended by S.I 2017/1162, reg. 2)

- 16 (1) The Criminal Justice Act 2003 is amended as follows.
- (2) In section 27 (interpretation), in the definition of “investigating officer”, for “an investigating officer” substitute “ a policing support officer or a policing support volunteer ”.
  - (3) In Schedule 1, omit paragraphs 17 to 19.

**Commencement Information**

- I21** Sch. 12 para. 16 in force for certain purposes at Royal Assent, see s. 183  
**I22** Sch. 12 para. 16 in force at 15.12.2017 in so far as not already in force by S.I. 2017/1139, reg. 2(k) (as amended by S.I 2017/1162, reg. 2)

- 17 (1) Section 28 of the Railways and Transport Safety Act 2003 (exercise of powers by civilians) is amended as follows.
- (2) In subsection (1)—
    - (a) in paragraph (a), in the words in brackets, at the end insert “ and volunteers ”;
    - (b) omit paragraph (aa);
    - (c) omit paragraph (d);
    - (d) omit the “and” after paragraph (f);
    - (e) after paragraph (f) insert—
      - “(fa) Schedule 3B (designations under section 38),
      - (fb) Schedule 3C (designations under section 38: additional powers and duties), and”;
    - (f) in paragraph (g), in the words in brackets, for “civilians” substitute “ contracted-out staff ”.
  - (3) In subsection (2)—
    - (a) omit paragraph (e);
    - (b) in paragraph (f), for “Schedule 4” substitute “ Schedules 3C and 4 ”.

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- I23** Sch. 12 para. 17 in force for certain purposes at Royal Assent, see s. 183  
**I24** Sch. 12 para. 17 in force at 15.12.2017 in so far as not already in force by S.I. 2017/1139, reg. 2(k) (as amended by S.I. 2017/1162, reg. 2)

18 In the Serious Organised Crime and Police Act 2005—

- (a) omit section 122(3);
- (b) in Schedule 8, omit paragraphs 1 to 15;
- (c) in Schedule 9, omit paragraphs 2 to 6;
- (d) in Schedule 13, omit paragraph 13.

**Commencement Information**

- I25** Sch. 12 para. 18 in force for certain purposes at Royal Assent, see s. 183  
**I26** Sch. 12 para. 18 in force at 15.12.2017 in so far as not already in force by S.I. 2017/1139, reg. 2(k) (as amended by S.I. 2017/1162, reg. 2)

19 In the Violent Crime Reduction Act 2006, omit section 24(6).

**Commencement Information**

- I27** Sch. 12 para. 19 in force for certain purposes at Royal Assent, see s. 183  
**I28** Sch. 12 para. 19 in force at 15.12.2017 in so far as not already in force by S.I. 2017/1139, reg. 2(k) (as amended by S.I. 2017/1162, reg. 2)

20 In the Education and Inspections Act 2006, omit the following—

- (a) section 107(2) and (3);
- (b) section 108(7).

**Commencement Information**

- I29** Sch. 12 para. 20 in force for certain purposes at Royal Assent, see s. 183  
**I30** Sch. 12 para. 20 in force at 15.12.2017 in so far as not already in force by S.I. 2017/1139, reg. 2(k) (as amended by S.I. 2017/1162, reg. 2)

21 (1) The Police and Justice Act 2006 is amended as follows.

- (2) Omit sections 7 and 8.
- (3) In section 9, omit “makes amendments consequential on section 7 (standard powers and duties of community support officers), and”.
- (4) In Schedule 5, omit paragraphs 2(3) and (4), 3 and 5(2) to (9).
- (5) In Schedule 14, omit paragraph 48.

**Commencement Information**

- I31** Sch. 12 para. 21 in force for certain purposes at Royal Assent, see s. 183

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**I32** Sch. 12 para. 21 in force at 15.12.2017 in so far as not already in force by S.I. 2017/1139, reg. 2(k) (as amended by S.I 2017/1162, reg. 2)

22 In the Local Government and Public Involvement in Health Act 2007—  
 (a) omit section 133(2);  
 (b) in Schedule 6, omit paragraph 4(1).

**Commencement Information**

**I33** Sch. 12 para. 22 in force for certain purposes at Royal Assent, see s. 183

**I34** Sch. 12 para. 22 in force at 15.12.2017 in so far as not already in force by S.I. 2017/1139, reg. 2(k) (as amended by S.I 2017/1162, reg. 2)

23 In the UK Borders Act 2007, omit section 47.

**Commencement Information**

**I35** Sch. 12 para. 23 in force for certain purposes at Royal Assent, see s. 183

**I36** Sch. 12 para. 23 in force at 15.12.2017 in so far as not already in force by S.I. 2017/1139, reg. 2(k) (as amended by S.I 2017/1162, reg. 2)

24 In the Local Transport Act 2008, in Schedule 4, omit paragraph 65.

**Commencement Information**

**I37** Sch. 12 para. 24 in force for certain purposes at Royal Assent, see s. 183

**I38** Sch. 12 para. 24 in force at 15.12.2017 in so far as not already in force by S.I. 2017/1139, reg. 2(k) (as amended by S.I 2017/1162, reg. 2)

25 In the Local Democracy, Economic Development and Construction Act 2009, in Schedule 6, omit paragraph 116.

**Commencement Information**

**I39** Sch. 12 para. 25 in force for certain purposes at Royal Assent, see s. 183

**I40** Sch. 12 para. 25 in force at 15.12.2017 in so far as not already in force by S.I. 2017/1139, reg. 2(k) (as amended by S.I 2017/1162, reg. 2)

26 In the Policing and Crime Act 2009, in Schedule 7, omit paragraph 125(3)(b).

**Commencement Information**

**I41** Sch. 12 para. 26 in force for certain purposes at Royal Assent, see s. 183

**I42** Sch. 12 para. 26 in force at 15.12.2017 in so far as not already in force by S.I. 2017/1139, reg. 2(k) (as amended by S.I 2017/1162, reg. 2)

27 In the Police Reform and Social Responsibility Act 2011, in Schedule 16, omit paragraphs 292(3), 293, 298 and 303.

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- I43** [Sch. 12 para. 27](#) in force for certain purposes at Royal Assent, see [s. 183](#)  
**I44** [Sch. 12 para. 27](#) in force at 15.12.2017 in so far as not already in force by [S.I. 2017/1139](#), [reg. 2\(k\)](#) (as amended by [S.I. 2017/1162](#), reg. 2)

28 In the Protection of Freedoms Act 2012, in Schedule 9, omit paragraph 30.

**Commencement Information**

- I45** [Sch. 12 para. 28](#) in force for certain purposes at Royal Assent, see [s. 183](#)  
**I46** [Sch. 12 para. 28](#) in force at 15.12.2017 in so far as not already in force by [S.I. 2017/1139](#), [reg. 2\(k\)](#) (as amended by [S.I. 2017/1162](#), reg. 2)

29 In the Legal Aid, Sentencing and Punishment of Offenders Act 2012, in Schedule 23, omit paragraph 14(3).

**Commencement Information**

- I47** [Sch. 12 para. 29](#) in force for certain purposes at Royal Assent, see [s. 183](#)  
**I48** [Sch. 12 para. 29](#) in force at 15.12.2017 in so far as not already in force by [S.I. 2017/1139](#), [reg. 2\(k\)](#) (as amended by [S.I. 2017/1162](#), reg. 2)

30 In the Local Government Byelaws (Wales) Act 2012 (anaw 2), omit section 17(2).

**Commencement Information**

- I49** [Sch. 12 para. 30](#) in force for certain purposes at Royal Assent, see [s. 183](#)  
**I50** [Sch. 12 para. 30](#) in force at 15.12.2017 in so far as not already in force by [S.I. 2017/1139](#), [reg. 2\(k\)](#) (as amended by [S.I. 2017/1162](#), reg. 2)

31 In the Anti-social Behaviour, Crime and Policing Act 2014, omit the following—  
(a) section 40;  
(b) section 53(5) and (6);  
(c) section 69;  
(d) section 152 and Schedule 10;  
(e) in Schedule 11, paragraph 32.

**Commencement Information**

- I51** [Sch. 12 para. 31](#) in force for certain purposes at Royal Assent, see [s. 183](#)  
**I52** [Sch. 12 para. 31](#) in force at 15.12.2017 in so far as not already in force by [S.I. 2017/1139](#), [reg. 2\(k\)](#) (as amended by [S.I. 2017/1162](#), reg. 2)

32 In the Psychoactive Substances Act 2016, in Schedule 5, omit paragraph 3.

**Commencement Information**

- I53** [Sch. 12 para. 32](#) in force for certain purposes at Royal Assent, see [s. 183](#)

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**I54** [Sch. 12 para. 32](#) in force at 15.12.2017 in so far as not already in force by [S.I. 2017/1139, reg. 2\(k\)](#) (as amended by [S.I 2017/1162, reg. 2](#))



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

- specified provision(s) amendment to earlier commencing S.I. 2017/1139, reg. 2 by [S.I. 2017/1162 reg. 2](#)