
STATUTORY RULES OF NORTHERN IRELAND

2000 No. 399

**Police (Northern Ireland) Act 1998
(Commencement) Order (Northern Ireland) 2000**

Transitional arrangement

4.—(1) This Article applies to any complaint falling to be dealt with before the commencement date under the former complaints provisions and not disposed of in accordance with those provisions by that date.

(2) Subject to the following provisions of this Order any such complaint shall, as from the commencement date, continue to be dealt with as if Part VII of the 1998 Act had been in operation at the date on which it was made or recorded and as if anything done or falling to be done in relation thereto before the commencement date under any of the former complaints provisions was done or fell to be done in relation thereto under the corresponding provision of the said Act and the regulations made thereunder, and, in particular—

- (a) where any such complaint has been submitted to the Chief Constable under Article 4(1) of the 1987 Order but not yet recorded under Article 5(1) of the 1987 Order he shall upon receipt refer it immediately to the Ombudsman;
- (b) where any such complaint was recorded under Article 5(1) of the 1987 Order it shall be treated as having been recorded under section 52 of the 1998 Act;
- (c) where under Article 5(3) of the 1987 Order, the Chief Constable has caused any such complaint to be investigated and has appointed a member for that purpose, the member shall be treated as having been appointed to investigate the complaint formally under section 57 of the 1998 Act;
- (d) where a copy of the report of an investigation of any such complaint has been sent to the Director of Public Prosecutions under Article 10(4) of the 1987 Order, it shall be treated as having been sent under Section 58(2) of the 1998 Act;
- (e) where, under Article 13 of the 1987 Order a recommendation has been made or a direction given by the Commission to the Chief Constable as to disciplinary charges to be preferred by him in relation to any such complaint, the recommendation or direction shall be treated as made or given to him by the Ombudsman in relation to that complaint under section 59 of the 1998 Act.