

2002 No. 420 (C. 20)

POLICE

**The Police Reform Act 2002 (Commencement No. 2)
(Scotland) Order 2002**

Made

10th September 2002

The Scottish Ministers, in exercise of the powers conferred by section 108(5) of the Police Reform Act 2002(a) hereby make the following Order:

Citation and extent

1.—(1) This Order may be cited as the Police Reform Act 2002 (Commencement No. 2) (Scotland) Order 2002.

(2) This Order extends to Scotland only.

Commencement of Provisions

2. Sections 70, 71, 102(7) and (8), 103(4) and 104(2) of the Police Reform Act 2002 shall come into force on 1st October 2002.

R J SIMPSON

Authorised to sign by the Scottish Ministers

St. Andrew's House,
Edinburgh
10th September 2002

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 1st October 2002 sections 70, 71, 102(7) and (8), 103(4) and 104(2) of the Police Reform Act 2002.

Section 70 amends the Crime and Disorder Act 1998 in relation to when sex offender orders may be sought and granted in Scotland.

Section 71 makes it an offence for persons to do anything in Scotland which is an offence under a sex offender order or interim order made in England and Wales or Northern Ireland.

Section 102(7) and (8) amends section 39 of the Police (Scotland) Act 1967. Section 102(7) changes the liability of the chief constable from liability in reparation for wrongful acts or omissions of constables to liability for any unlawful conduct by them. Section 102(8) changes the circumstances in which the police authority may pay damages or expenses awarded against a constable from liability for any wrongful act or omission to liability for unlawful conduct.

Section 103(4) amends section 39 of the Police (Scotland) Act 1967 in relation to liability for wrongful acts of constables and adds liability for unlawful conduct of international joint investigating teams etc. to the section.

Section 104(2) amends section 41 of the Police (Scotland) Act 1967 in relation to assaults on constables. The amendment extends the same protection from assault etc. which is available to constables to members of international joint investigation teams, members of the National Criminal Intelligence Service and members of the National Crime Squad.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the order)

Various provisions of the Police Reform Act 2002 contained in Parts 1 to 7 and Schedules 1 to 3 and 7 and 8 are to be brought into force on 1st October and 1st November 2002 by commencement order made before the date of this Order (S. I. 2002/2306 (C. 75)).

£1.50

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300 09/02 19593

