
Changes to legislation: There are currently no known outstanding effects for the Anti-terrorism, Crime and Security Act 2001, Cross Heading: Police (Scotland) Act 1967 (c. 77). (See end of Document for details)

SCHEDULES

SCHEDULE 7

TRANSPORT POLICE AND MOD POLICE: FURTHER PROVISIONS

Police (Scotland) Act 1967 (c. 77)

- 1 The Police (Scotland) Act 1967 has effect subject to the following amendments.
- 2 (1) Section 11 (aid of one police force by another) is amended as follows.
- (2) In subsection (2), for “Secretary of State” substitute “ appropriate Minister or Ministers ” and after “he” insert “ or they ”.
- (3) In subsection (4), for “Secretary of State” substitute “ appropriate Ministers ”.
- (4) After that subsection insert—
- “(5) This section shall apply in relation to the Strategic Rail Authority and the British Transport Police Force as it applies to a police authority and a police force respectively.
- (6) In subsection (2) “appropriate Minister or Ministers” means—
- (a) in relation to a direction given to the Chief Constable of the British Transport Police Force, the Secretary of State, and
- (b) in any other case, the Scottish Ministers.
- (7) In subsection (4) “appropriate Ministers” means—
- (a) where the police authorities concerned include the Strategic Rail Authority, the Scottish Ministers and the Secretary of State, acting jointly, and
- (b) in any other case, the Scottish Ministers.”
- 3 (1) Section 12 (collaboration agreements) is amended as follows.
- (2) In subsection (3), for “Secretary of State” substitute “ Scottish Ministers ”.
- (3) For subsection (5) substitute—
- “(5) If it appears to the Scottish Ministers that an agreement should be made for the purposes specified in subsection (1), (2) or (4) of this section, they may, after considering any representations made by the parties concerned, direct those parties to enter into such agreement for that purpose as may be specified in the directions.
- (6) For the purposes of this section—
- (a) the British Transport Police Force shall be treated as if it were a police force;
- (b) “police functions” shall include the functions of the British Transport Police Force;

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(c) the British Transport Police Committee shall be treated as if it were the police authority maintaining that Force for the purposes of subsections (1) and (2) of this section and the Strategic Rail Authority shall be so treated for the purposes of subsection (3) of this section; and

(d) “police area”, in relation to the British Transport Police Force and the British Transport Police Committee, means those places where members of the British Transport Police Force have the powers, protection and privileges of a constable under section 53(4) of the British Transport Commission Act 1949 (c. xxix).

(7) In relation to agreements relating to the British Transport Police Force, any determination under subsection (3) shall be made, and any directions under subsection (5) shall be given, by the Scottish Ministers and the Secretary of State, acting jointly.”

4 (1) Section 17 (general functions and jurisdiction of constables) is amended as follows.

(2) After subsection (4) insert—

“(4A) A member of the British Transport Police Force who is for the time being required by virtue of section 11 or 12 of this Act to serve with a police force shall—

- (a) have all the powers and privileges of a constable of that police force, and
- (b) be subject to the direction of the chief constable of that force.”

(3) In subsection (7)(a), after “first-mentioned force” insert “ or, if he is serving with the British Transport Police Force, the Chief Constable of that Force ”.

5 (1) Section 42 (causing disaffection) is amended as follows.

(2) In subsection (1), after “force” insert “ or of the British Transport Police Force ”.

(3) In subsection (2), after “constable” insert “ or a member of the British Transport Police Force ”.

6 F1

Textual Amendments
F1 Sch. 7 para. 6 repealed (1.7.2004) by Railways and Transport Safety Act 2003 (c. 20), ss. 73, 118, 120, Sch. 5 para. 3, Sch. 8; S.I. 2004/1572, art. 3(jj)(kkk)

7 In section 51 (interpretation), after the definition of “amalgamation scheme” insert—

““British Transport Police Force” means the constables appointed under section 53 of the British Transport Commission Act 1949 (c. xxix) ;”.

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