



Police Reform Act 2002

2002 CHAPTER 30

PART 6

MISCELLANEOUS

Appointment and attestation of police officers etc.

82 Nationality requirements applicable to police officers etc.

- (1) Irrespective of his place of birth, a person of any nationality may be—
- (a) a member of a police force maintained for any police area in England and Wales^{F1}...;
 - [^{F2}(aa) a constable of the Police Service of Scotland;]
 - (b) a member of the Police Service of Northern Ireland or of the Police Service of Northern Ireland Reserve;
 - (c)^{F3}
 - (d) a member of the British Transport Police Force;
 - [^{F4}(e) a member of the Civil Nuclear Constabulary; [^{F5}or]]
 - (f)^{F6}
 - (g) a special constable;

and, accordingly, irrespective of his place of birth such a person may be attested or appointed, and hold office, as a constable.

- (2) Subsection (1) is subject to any provision falling within subsection which relates to qualification for appointment as a constable or as a special constable or for membership of, or for particular ranks, offices or positions with—
- (a) any force or constabulary; ^{F7}...
 - [^{F8}(aa) the Police Service of Scotland; or]
 - (b) the Police Service of Northern Ireland or the Police Service of Northern Ireland Reserve; ^{F9}...
 - (c)^{F9}

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- (3) Provision falls within this subsection if it is—
- (a) provision made by regulations made under section 50 or 51 of the 1996 Act (regulations for police constables and for special constables);
 - (b) provision made by regulations made under [^{F10}section 48 of the Police and Fire Reform (Scotland) Act 2012 (governance and administration of police)];
 - (c) provision made under section 25 or 26 of the Police (Northern Ireland) Act 1998 (c. 32) (regulations for police constables and for the constables in the Police Service of Northern Ireland Reserve); [^{F11}and]
 - (d) ^{F12}
 - (e) provision given effect to by any arrangements made for the purpose of regulating appointment to membership of the British Transport Police Force, [^{F13}or the Civil Nuclear Constabulary], or to particular ranks or positions with that Force or Constabulary.
- (4) Without prejudice to the generality of any power conferred apart from this section, the provision falling within subsection (3) that may be made by any such regulations, terms and conditions or arrangements as are mentioned in that subsection may include provision imposing any of the following requirements—
- (a) requirements with respect to the competence in written and spoken English of candidates for appointment;
 - (b) requirements with respect to the immigration status of such candidates;
 - (c) requirements with respect to nationality in the case of particular ranks, offices or positions;
- and, in a case where the power to make provision with respect to qualification for appointment as a constable or as a special constable, or for membership of a force [^{F14}or Service] , is exercisable by any such regulations as are mentioned in that subsection, the regulations made must impose requirements with respect to all the matters mentioned in paragraphs (a) and (b).
- (5) ^{F15}

Textual Amendments

- F1** Words in s. 82(1)(a) omitted (1.4.2013) by virtue of [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), **Sch. 2 para. 39(2)(a)(i)**
- F2** S. 82(1)(aa) inserted (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), **Sch. 2 para. 39(2)(a)(ii)**
- F3** S. 82(1)(c) repealed (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 59, 174, 178, **Sch. 4 para. 185(2)**, **Sch. 17 Pt. 2**; S.I. 2006/378, **art. 4(1)**, **Sch. paras. 10, 12, 13(oo)** (subject to art. 4(2)-(7))
- F4** S. 82(1)(e) substituted (1.4.2005) by [Energy Act 2004 \(c. 20\)](#), ss. 69, 198(2), **Sch. 14 para. 11(a)**; S.I. 2005/877, **art. 2(1)**, **Sch. 1**
- F5** Word in s. 82(1)(e) inserted (8.5.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 161, 178, **Sch. 13 para. 12(2)(a)**; S.I. 2006/1085, **art. 2(c)**
- F6** S. 82(1)(f) repealed (8.5.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 161, 174, 178, **Sch. 13 para. 12(2)(b)**, **Sch. 17 Pt. 2**; S.I. 2006/1085, **art. 2(c)(d)**
- F7** Word in s. 82(2)(a) omitted (1.4.2013) by virtue of [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), **Sch. 2 para. 39(2)(b)**

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- F8** S. 82(2)(aa) inserted (1.4.2013) by The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 2 para. 39(2)(b)**
- F9** S. 82(2)(c) and preceding word repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 59, 174, 178, Sch. 4 para. 185(3)(b), **Sch. 17 Pt. 2**; S.I. 2006/378, **art. 4(1)**, Sch. paras. 10, 12, 13(o) (subject to art. 4(2)-(7))
- F10** Words in s. 82(3)(b) substituted (1.4.2013) by The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 2 para. 39(2)(c)**
- F11** Word in s. 82(3)(c) inserted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 59, 178, **Sch. 4 para. 185(4)(a)**; S.I. 2006/378, **art. 4(1)**, Sch. para. 10 (subject to art. 4(2)-(7))
- F12** S. 82(3)(d) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 59, 174, 178, Sch. 4 para. 185(4)(b), **Sch. 17 Pt. 2**; S.I. 2006/378, **art. 4(1)**, Sch. paras. 10, 12, 13(o) (subject to art. 4(2)-(7))
- F13** Words in s. 82(3)(e) substituted (8.5.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 161, 178, **Sch. 13 para. 12(3)**; S.I. 2006/1085, **art. 2(c)**
- F14** Words in s. 82(4) substituted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 59, 178, **Sch. 4 para. 185(5)**; S.I. 2006/378, **art. 4(1)**, Sch. para. 10 (subject to art. 4(2)-(7))
- F15** S. 82(5) repealed (8.5.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 161, 174, 178, Sch. 13 para. 12(4), **Sch. 17 Pt. 2**; S.I. 2006/1085, **art. 2(c)(d)**

Modifications etc. (not altering text)

- C1** S. 82 amended (1.7.2004) by Railways and Transport Safety Act 2003 (c. 20), ss. 73, 120, **Sch. 5 para. 4** (with s. 72); S.I. 2004/1572, **art. 3(jjj)**

Commencement Information

- I1** S. 82 wholly in force; s. 82 not in force at Royal Assent, see s. 108(2); s. 82(4) in force at 1.10.2002 by S.I. 2002/2306, **art. 2(f)(i)**; s. 82 in force to the extent not already in force at 3.2.2003 by S.I. 2002/2750, **art. 5**

83 Attestation of constables

For Schedule 4 to the 1996 Act there shall be substituted—

“SCHEDULE 4

FORM OF DECLARATION

“I.....of.....do solemnly and sincerely declare and affirm that I will well and truly serve the Queen in the office of constable, with fairness, integrity, diligence and impartiality, upholding fundamental human rights and according equal respect to all people; and that I will, to the best of my power, cause the peace to be kept and preserved and prevent all offences against people and property; and that while I continue to hold the said office I will, to the best of my skill and knowledge, discharge all the duties thereof faithfully according to law.”

84

F16

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Textual Amendments

F16 S. 84 repealed (19.4.2010) by Policing and Crime Act 2009 (c. 26), ss. 112, 116, **Sch. 8 Pt. 1**; S.I. 2010/999, **art. 2(d)**

85 Director General of NCIS

F17

Textual Amendments

F17 Ss. 85-91 repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 59, 174, 178, Sch. 4 para. 186, **Sch. 17 Pt. 2**; S.I. 2006/378, **art. 4(1)**, Sch. paras. 10, 12, 13(oo) (subject to art. 4(2)-(7))

86 Police members of NCIS

F18

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87 Police members of NCS

F19

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88 Regulations for NCIS

F20

Textual Amendments

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F21
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90 Supplementary provisions about police membership of NCIS

F22
.....

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 26F inserted by [2023 c. 41 Sch. 13 para. 6](#)
- s. 28A(6A)(6B) inserted by [2023 c. 41 s. 45\(2\)](#)