
Changes to legislation: Police Reform Act 2002, Paragraph 1 is up to date with all changes known to be in force on or before 19 April 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

SCHEDULES

SCHEDULE 5

POWERS EXERCISABLE BY ACCREDITED PERSONS

Power to issue fixed penalty notices

- 1 (1) An accredited person whose accreditation specifies that this paragraph applies to him shall have the powers specified in sub-paragraph (2) in relation to any individual who he has reason to believe has committed or is committing a relevant fixed penalty offence at a place within the relevant police area.
- (2) Those powers are the following powers so far as exercisable in respect of a relevant [^{F1}fixed penalty] offence—
- (a) the power of a constable in uniform to give a person a fixed penalty notice under section 54 of the Road Traffic Offenders Act 1988 (c. 53) (fixed penalty notices) in respect of an offence under section 72 of the Highway Act 1835 (c. 50) (riding on a footway) committed by cycling;
 - [^{F2}(aa) the powers of a constable ^{F3}... to give a penalty notice under Chapter 1 of Part 1 of the Criminal Justice and Police Act 2001 (fixed penalty notices in respect of offences of disorder) ^{F4}. . . ;]
 - [^{F5}(ab) the power of a constable to give a penalty notice under section 444A of the Education Act 1996 (penalty notice in respect of failure to secure regular attendance at school of registered pupil);]
 - [^{F6}(ac) the power of a constable to give a penalty notice under section 105 of the Education and Inspections Act 2006 (penalty notice in respect of presence of excluded pupil in public place);]
 - (b) ^{F7}.....
 - [^{F8}(ba) the power of an authorised officer of a local authority to give a notice under section 43(1) of the Anti-social Behaviour Act 2003 (penalty notices in respect of graffiti or fly-posting); and]
 - (c) the power of an authorised officer of a litter authority to give a notice under section 88 of the Environmental Protection Act 1990 (c. 43) (fixed penalty notices in respect of litter)
 - ^{F9}(d)
- [^{F10}(2A) The reference to the powers mentioned in sub-paragraph (2)(aa) does not include those powers so far as they relate to an offence under the provisions in the following list—
- section 12 of the Licensing Act 1872,
 - section 91 of the Criminal Justice Act 1967,
 - section 1 of the Theft Act 1968,
 - section 1(1) of the Criminal Damage Act 1971,
 - section 87 of the Environmental Protection Act 1990.]

Changes to legislation: Police Reform Act 2002, Paragraph 1 is up to date with all changes known to be in force on or before 19 April 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

- (3) In this paragraph “relevant fixed penalty offence”, in relation to an accredited person, means an offence which—
- (a) is an offence by reference to which a notice may be given to a person in exercise of any of the powers mentioned in [F11]sub-paragraph (2)(a) to (d) ; and
 - (b) is specified or described in that person’s accreditation as an offence he has been accredited to enforce.
- [F12(3A) For the purposes of paragraph (f) of section 64A(1B) of the Police and Criminal Evidence Act 1984 (photographing of suspects in relation to fixed penalty offences) “relevant fixed penalty offence”, in relation to an accredited person, includes an offence under a relevant byelaw within the meaning of paragraph 1A(4) (and, accordingly, the reference in that paragraph (f) to paragraph 1 of this Schedule includes a reference to paragraph 1A of this Schedule).]
- [F13(4) In its application to an offence which is an offence by reference to which a notice may be given to a person in exercise of the power mentioned in sub-paragraph (2) (ab) [F14or (ac)] , sub-paragraph (1) shall have effect as if for the words from “who he has reason to believe” to the end there were substituted “in the relevant police area who he has reason to believe has committed or is committing a relevant fixed penalty offence”.]

Textual Amendments

- F1** Words in Sch. 5 para. 1(2) inserted (1.12.2007) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 9, 53, [Sch. 5 para. 6\(2\)](#); S.I. 2007/3203, [art. 2\(c\)](#)
- F2** Sch. 5 para. 1(2)(aa) inserted (31.3.2004) by [Anti-social Behaviour Act 2003 \(c. 38\)](#), ss. [89\(5\)](#), 93; S.I. 2004/690, [art. 2\(b\)\(iv\)](#)
- F3** Words in Sch. 5 para. 1(2)(aa) omitted (8.4.2013) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 23 para. 14\(4\)](#); S.I. 2013/453, art. 4(e)
- F4** Words in Sch. 5 para. 1(2)(aa) repealed (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 122(5)(a), 174, 178, [Sch. 17 Pt. 2](#); S.I. 2005/1521, [art. 3\(1\)\(cc\)\(ee\)\(viii\)](#)
- F5** Sch. 5 para. 1(2)(ab) inserted (27.2.2004) by [Anti-social Behaviour Act 2003 \(c. 38\)](#), ss. [23\(6\)](#), 93; S.I. 2003/3300, [art. 3\(a\)\(ii\)](#)
- F6** Sch. 5 para. 1(2)(ac) inserted (1.9.2007) by [Education and Inspections Act 2006 \(c. 40\)](#), ss. [107\(4\)](#), 188; S.I. 2007/1801, [art. 4\(h\)](#)
- F7** Sch. 5 para. 1(2)(b) repealed (6.4.2006 for E. and 15.3.2007 for W.) by [Clean Neighbourhoods and Environment Act 2005 \(c. 16\)](#), ss. 107, 108, [Sch. 5 Pt. 5](#); S.I. 2006/795, [art. 2\(3\)](#), Sch. 2 (with art. 4(3)(b)); S.I. 2006/2797, [art. 5\(g\)](#) (with art. 10(3)(b)) (as amended (30.1.2007) by S.I. 2007/120, art. 3); S.I. 2007/702
- F8** Sch. 5 para. 1(2)(ba) inserted (31.3.2004) by [Anti-social Behaviour Act 2003 \(c. 38\)](#), ss. [46\(2\)\(b\)](#), 93; S.I. 2004/690, [art. 2\(a\)\(i\)](#)
- F9** Sch. 5 para. 1(2)(d) omitted (20.10.2014) by virtue of [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), [Sch. 11 para. 33](#) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/2590, art. 3(g)(vi) (as amended (20.10.2014) by S.I. 2014/2754, arts. 1, 3(a))
- F10** Sch. 5 para. 1(2A) inserted (1.7.2005 for certain purposes and 1.8.2005 otherwise) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. [122\(5\)\(b\)](#), 178; S.I. 2005/1521, [art. 3\(1\)\(h\)](#); S.I. 2005/2026, [art. 2\(d\)](#)
- F11** Words in Sch. 5 para. 1(3)(a) substituted (27.1.2010) for the words "sub-paragraph (2)(a) to (c)" by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), ss. 135, 245, [Sch. 6 para. 4\(2\)](#); S.I. 2010/112, [art. 2\(g\)](#)

Changes to legislation: *Police Reform Act 2002, Paragraph 1 is up to date with all changes known to be in force on or before 19 April 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*

- F12** Sch. 5 para. 1(3A) inserted (27.1.2010) by Local Government and Public Involvement in Health Act 2007 (c. 28), **ss. 133(3)(a)**, 245; S.I. 2010/112, **art. 2(e)**
- F13** Sch. 5 para. 1(4) inserted (27.2.2004) by Anti-social Behaviour Act 2003 (c. 38), **ss. 23(7)**, 93; S.I. 2003/3300, **art. 3(a)(ii)**
- F14** Words in Sch. 5 para. 1(4) inserted (1.9.2007) by Education and Inspections Act 2006 (c. 40), **ss. 107(5)**, 188; S.I. 2007/1801, **art. 4(h)**

Modifications etc. (not altering text)

- C1** Sch. 5 para. 1(2)(aa) modified (1.11.2004) by The Criminal Justice and Police Act 2001 (Amendment) and Police Reform Act 2002 (Modification) Order 2004 (S.I. 2004/2540), arts. 1(4), **5**

Changes to legislation:

Police Reform Act 2002, Paragraph 1 is up to date with all changes known to be in force on or before 19 April 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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Sch. 5 para. 1(2)(aa) omitted by [2022 c. 32 Sch. 11 para. 25\(a\)](#)
- Sch. 5 para. 1(2A) omitted by [2022 c. 32 Sch. 11 para. 25\(a\)](#)
- Sch. 5 para. 1(2)(b) word repealed by [2003 c. 38 Sch. 3](#)

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\(2\)](#)