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**Changes to legislation:** Police Reform Act 2002, Paragraph 9 is up to date with all changes known to be in force on or before 28 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

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## SCHEDULES

### SCHEDULE 7

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *The 1984 Act*

- 9 (1) In section 18(5) of the 1984 Act (power of constable to conduct search of an arrested person's premises before taking him to a police station), for "taking the person" there shall be substituted "the person is taken".
- (2) In section 54A(6) of that Act (persons entitled to carry out search or examination or to take photographs), for paragraphs (a) and (b) and the words after paragraph (b) there shall be substituted "constables".
- (3) In section 61 of that Act (fingerprinting), before subsection (9) there shall be inserted—
- “(8B) The power to take the fingerprints of a person detained at a police station without the appropriate consent shall be exercisable by any constable.”
- (4) In section 63 of that Act (non-intimate samples), after subsection (9) there shall be inserted—
- “(9ZA) The power to take a non-intimate sample from a person without the appropriate consent shall be exercisable by any constable.”
- (5) In section 64A(3) of that Act (persons entitled to photograph detainees), for paragraphs (a) and (b) and the words after paragraph (b) there shall be substituted "constables".
- (6) In subsection (7B) of section 67 of that Act (limited effect of modification of code of practice), in paragraph (c) for "order" there shall be substituted "code".
- (7) After subsection (9) of that section there shall be inserted—
- “(9A) Persons on whom powers are conferred by—
- (a) any designation under section 38 or 39 of the Police Reform Act 2002 (c. 30) (police powers for police authority employees), or
- (b) any accreditation under section 41 of that Act (accreditation under community safety accreditation schemes),
- shall have regard to any relevant provision of a code of practice to which this section applies in the exercise or performance of the powers and duties conferred or imposed on them by that designation or accreditation.”
- (8) In subsection (10) of that section (failure to comply with codes not to render a person liable to civil or criminal proceedings), after paragraph (b) there shall be inserted “, or
- (c) of a person designated under section 38 or 39 or accredited under section 41 of the Police Reform Act 2002 (c. 30) to have regard to

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any relevant provision of such a code in the exercise or performance of the powers and duties conferred or imposed on him by that designation or accreditation.”.

- (9) In section 118, at the beginning of subsection (2) (meaning of persons in police detention) there shall be inserted “ Subject to subsection (2A) ”; and after that subsection there shall be inserted—

“(2A) Where a person is in another’s lawful custody by virtue of paragraph 22, 34(1) or 35(3) of Schedule 4 to the Police Reform Act 2002, he shall be treated as in police detention.”

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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\(2\)](#)