



Police Reform Act 2002

2002 CHAPTER 30

PART 2

COMPLAINTS AND MISCONDUCT

Conduct of persons in other forms of police service

25 NCIS and NCS

- (1) For subsection (1) of section 39 of the 1997 Act (complaints about members of NCIS) there shall be substituted—

- “(1) The Secretary of State may by regulations make provision about—
- (a) the handling of complaints about the conduct of members of NCIS;
 - (b) the recording of matters from which it appears there may have been misconduct by members of NCIS; and
 - (c) the investigation of such complaints and matters.”

- (2) In subsection (2) of that section—

- (a) for “shall” there shall be substituted “may”; and
- (b) for paragraph (c) there shall be substituted—
 - “(c) for applying, with such modifications as he may think fit, any provision made by or under Part 2 of the Police Reform Act 2002 (c. 30) (complaints and misconduct).”

- (3) After that subsection there shall be inserted—

- “(2ZA) Regulations under subsection (1) may provide—
- (a) for obligations under the regulations to be framed by reference to the opinions of such persons as may be specified in the regulations; and
 - (b) for it to be the duty of any person on whom functions are conferred by the regulations to have regard, in the carrying out of those functions, to any guidance given by such persons and in such manner as may be so specified.”

Status: This is the original version (as it was originally enacted).

- (4) Subsection (3) of that section (guidance by the Secretary of State after consultation with the Scottish Ministers) shall cease to have effect.
- (5) For subsections (1) to (3) of section 83 of that Act (complaints about members of NCS and guidance by the Secretary of State) there shall be substituted—
- “(1) The Secretary of State may by regulations make provision about—
- (a) the handling of complaints about the conduct of members of National Crime Squad;
 - (b) the recording of matters from which it appears there may have been misconduct by members of the National Crime Squad; and
 - (c) the investigation of such complaints and matters.
- (2) Regulations under this section may make such provision as the Secretary of State thinks desirable for applying, with such modifications as he thinks fit, any provision made by or under Part 2 of the Police Reform Act 2002 (c. 30) (complaints and misconduct).
- (2A) Regulations under this section may provide—
- (a) for obligations under the regulations to be framed by reference to the opinions of such persons as may be specified in the regulations; and
 - (b) for it to be the duty of any person on whom functions are conferred by the regulations to have regard, in the carrying out of those functions, to any guidance given by such persons and in such manner as may be so specified.”