



# Police Reform Act 2002

## 2002 CHAPTER 30

### PART 4

#### POLICE POWERS ETC.

### CHAPTER 2

#### PROVISIONS MODIFYING AND SUPPLEMENTING POLICE POWERS

#### *Blood specimens*

#### **55 Extension of role of health care professionals**

- (1) In subsection (4) of section 7 of the Road Traffic Act 1988 (constable to decide if specimen is of blood or urine) for the words from “shall be decided” onwards there shall be substituted “ and, in the case of a specimen of blood, the question who is to be asked to take it shall be decided (subject to subsection (4A)) by the constable making the requirement ”.
- (2) After that subsection there shall be inserted—
  - “(4A) Where a constable decides for the purposes of subsection (4) to require the provision of a specimen of blood, there shall be no requirement to provide such a specimen if—
    - (a) the medical practitioner who is asked to take the specimen is of the opinion that, for medical reasons, it cannot or should not be taken; or
    - (b) the registered health care professional who is asked to take it is of that opinion and there is no contrary opinion from a medical practitioner;and, where by virtue of this subsection there can be no requirement to provide a specimen of blood, the constable may require a specimen of urine instead.”
- (3) In subsection (2) of section 11 of that Act (interpretation of sections 3A to 10 of that Act), after the definition of “prescribed limit” there shall be inserted—

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““registered health care professional” means a person (other than a medical practitioner) who is—

- (a) a registered nurse; or
- (b) a registered member of a health care profession which is designated for the purposes of this paragraph by an order made by the Secretary of State.”

(4) After that subsection there shall be inserted—

“(2A) A health care profession is any profession mentioned in section 60(2) of the Health Act 1999 (c. 8) other than the profession of practising medicine and the profession of nursing.

(2B) An order under subsection (2) shall be made by statutory instrument; and any such statutory instrument shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

(5) For subsection (4) of that section there shall be substituted—

“(4) A person provides a specimen of blood if and only if—

- (a) he consents to the taking of such a specimen from him; and
- (b) the specimen is taken from him by a medical practitioner or, if it is taken in a police station, either by a medical practitioner or by a registered health care professional.”

#### **Commencement Information**

- II** S. 55 wholly in force at 1.4.2003; s. 55 not in force at Royal Assent, see s. 108(2); s. 55(2)(3) in force for certain purposes at 1.10.2002 by [S.I. 2002/2306](#), [art. 4\(d\)](#); s. 55 in force in so far as not already in force at 1.4.2003 by [S.I. 2003/808](#), [art. 2\(e\)](#)

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

- Act applied (with modifications) by [S.I. 2024/414 art. 5Sch. 1 para. 12](#)

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\(2\)](#)