



# 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<sup>F1</sup>...;
  - [<sup>F2</sup>(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)<sup>F3</sup> .....
  - (d) a member of the British Transport Police Force;
  - [<sup>F4</sup>(e) a member of the Civil Nuclear Constabulary; [<sup>F5</sup>or]]
  - (f)<sup>F6</sup> .....
  - (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; <sup>F7</sup>...
  - [<sup>F8</sup>(aa) the Police Service of Scotland; or]
  - (b) the Police Service of Northern Ireland or the Police Service of Northern Ireland Reserve; <sup>F9</sup>...
  - (c)<sup>F9</sup> .....

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**Changes to legislation:** Police Reform Act 2002, Section 82 is up to date with all changes known to be in force on or before 20 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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- (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 [<sup>F10</sup>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); [<sup>F11</sup>and]
  - (d) <sup>F12</sup> .....
  - (e) provision given effect to by any arrangements made for the purpose of regulating appointment to membership of the British Transport Police Force, [<sup>F13</sup>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 [<sup>F14</sup>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) <sup>F15</sup> .....

#### 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)**

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**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)**

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**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**

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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\(2\)](#)