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**Changes to legislation:** Energy Act 2004, Cross Heading: Remedial action is up to date with all changes known to be in force on or before 21 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 13

#### DIRECTIONS BY SECRETARY OF STATE ABOUT CONSTABULARY

##### *Remedial action*

- 4 (1) This paragraph applies where the Secretary of State considers that the Police Authority is failing—
- (a) to meet an objective set out by him under this Schedule; or
  - (b) to comply with a direction given under this Schedule.
- (2) This paragraph also applies where a report under section 62 following an inspection states—
- (a) that the Constabulary is, whether generally or in a specified respect, not efficient or not effective; or
  - (b) that the Constabulary is likely, unless remedial action is taken, to cease to be efficient or effective, whether generally or in a specified respect.
- (3) Where this paragraph applies, the Secretary of State may give a direction requiring the Police Authority to take the particular steps specified in the direction for the purpose of remedying—
- (a) the failure to meet the objective or to comply with the direction; or
  - (b) the matters stated in the report under section 62.
- (4) Before giving a direction under this paragraph, the Secretary of State must—
- (a) notify the Police Authority and the chief constable of his intention to give a direction and of his reasons for doing so; and
  - (b) give the Police Authority and the chief constable an opportunity of making representations.

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#### **Commencement Information**

**11** Sch. 13 para. 4 in force at 1.3.2005 by S.I. 2005/442, art. 2(1), Sch. 1

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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. 137(3)(c)-(e) inserted by [2011 c. 16 s. 117\(b\)](#)
- s. 173(2C) inserted by [2023 c. 52 Sch. 14 para. 10](#)
- Sch. 22 para. 4(1A) inserted by [2023 c. 52 Sch. 14 para. 11\(2\)\(b\)](#)