



Serious Organised Crime and Police Act 2005

CHAPTER 15

SERIOUS ORGANISED CRIME AND POLICE ACT 2005

PART 1

THE SERIOUS ORGANISED CRIME AGENCY

CHAPTER 1

SOCA: ESTABLISHMENT AND ACTIVITIES

Establishment of SOCA

- 1 Establishment of Serious Organised Crime Agency

Functions

- 2 Functions of SOCA as to serious organised crime
- 3 Functions of SOCA as to information relating to crime
- 4 Exercise of functions: general considerations

General powers

- 5 SOCA's general powers

Annual plans and reports

- 6 Annual plans
- 7 Annual reports

Central supervision and direction

- 8 General duty of Secretary of State and Scottish Ministers
- 9 Strategic priorities
- 10 Codes of practice
- 11 Reports to Secretary of State
- 12 Power to direct submission of action plan
- 13 Revision of inadequate action plan
- 14 Procedure for giving directions under section 12
- 15 Reports relating to directions under section 12
- 16 Inspections

Financial provisions

- 17 Grants by Secretary of State
- 18 Determinations relating to grants under section 17
- 19 Charges by SOCA and other receipts
- 20 Accounts

Operational matters

- 21 Operational responsibility of Director General
- 22 Activities in Scotland in relation to crime
- 23 Mutual assistance between SOCA and law enforcement agencies:
voluntary arrangements
- 24 Mutual assistance between SOCA and law enforcement agencies:
directed arrangements
- 25 Directed arrangements: Scotland
- 26 Use by SOCA of police premises etc.
- 27 Regulations as to equipment

Liability for unlawful conduct

- 28 Liability of SOCA for acts of seconded staff etc.
- 29 Payment by SOCA of amounts in connection with unlawful conduct of
employees etc.
- 30 Application of sections 28 and 29 to members of joint investigation
teams
- 31 Liability of special police forces and law enforcement agencies for
unlawful conduct of SOCA staff

Use and disclosure of information

- 32 Use of information by SOCA
- 33 Disclosure of information by SOCA
- 34 Disclosure of information to SOCA
- 35 Restrictions on further disclosure

General duties of police etc.

- 36 General duty of police to pass information to SOCA
- 37 General duty of police etc. to assist SOCA

Prosecutions

- 38 Prosecution of offences investigated by SOCA

- 39 Directions as to reference of cases and proceedings to appropriate prosecutor
- 40 Functions of Director of Revenue and Customs Prosecutions as to persons arrested for designated offence

Miscellaneous and supplementary

- 41 Directions
- 42 Interpretation of Chapter 1

CHAPTER 2

SOCA: SPECIAL POWERS OF DESIGNATED STAFF

Designations

- 43 Designation of SOCA staff as persons having powers of constable etc.
- 44 Delegation of power to designate
- 45 Modification or withdrawal of designations

Powers exercisable

- 46 Person having powers of a constable
- 47 Person having powers of constable: Scotland and Northern Ireland
- 48 Person having customs powers
- 49 Person having powers of an immigration officer

Exercise of powers

- 50 Designations: supplementary
- 51 Assaults, obstruction or deception in connection with designations

Supplementary

- 52 Modification of enactments
- 53 Employment provisions
- 54 Interpretation of Chapter 2

CHAPTER 3

SOCA: MISCELLANEOUS AND SUPPLEMENTARY

Complaints and misconduct

- 55 Complaints and misconduct

Application of discrimination legislation

- 56 Application of discrimination legislation to SOCA seconded staff

Joint investigation teams

- 57 Assaults or obstruction in connection with joint investigation teams

Transfers

- 58 Transfers to SOCA

Amendments

- 59 Minor and consequential amendments relating to SOCA

PART 2

INVESTIGATIONS, PROSECUTIONS, PROCEEDINGS AND PROCEEDS OF CRIME

CHAPTER 1

INVESTIGATORY POWERS OF DPP, ETC.

Introductory

- 60 Investigatory powers of DPP etc.
61 Offences to which this Chapter applies

Disclosure notices

- 62 Disclosure notices
63 Production of documents
64 Restrictions on requiring information etc.
65 Restrictions on use of statements

Enforcement

- 66 Power to enter and seize documents
67 Offences in connection with disclosure notices or search warrants

Supplementary

- 68 Procedure applicable to search warrants
69 Manner in which disclosure notice may be given
70 Interpretation of Chapter 1

CHAPTER 2

OFFENDERS ASSISTING INVESTIGATIONS AND PROSECUTIONS

- 71 Assistance by offender: immunity from prosecution
72 Assistance by offender: undertakings as to use of evidence
73 Assistance by defendant: reduction in sentence
74 Assistance by defendant: review of sentence
75 Proceedings under section 74: exclusion of public

CHAPTER 3

FINANCIAL REPORTING ORDERS

- 76 Financial reporting orders: making
77 Financial reporting orders: making in Scotland
78 Financial reporting orders: making in Northern Ireland
79 Financial reporting orders: effect
80 Financial reporting orders: variation and revocation
81 Financial reporting orders: verification and disclosure

CHAPTER 4

PROTECTION OF WITNESSES AND OTHER PERSONS

- 82 Protection of persons involved in investigations or proceedings
- 83 Joint arrangements
- 84 Transfer of responsibility to other protection provider
- 85 Duty to assist protection providers
- 86 Offence of disclosing information about protection arrangements
- 87 Defences to liability under section 86
- 88 Offences of disclosing information relating to persons assuming new identity
- 89 Defences to liability under section 88
- 90 Protection from liability
- 91 Transitional provision
- 92 Transitional provision: supplemental
- 93 Provision of information
- 94 Interpretation of Chapter 4

CHAPTER 5

INTERNATIONAL OBLIGATIONS

- 95 Enforcement of overseas forfeiture orders
- 96 Mutual assistance in freezing property or evidence

CHAPTER 6

PROCEEDS OF CRIME

- 97 Confiscation orders by magistrates' courts
- 98 Civil recovery: freezing orders
- 99 Civil recovery: interim receivers' expenses etc.
- 100 Detention of seized cash: meaning of "48 hours"
- 101 Appeal in proceedings for forfeiture of cash
- 102 Money laundering: defence where overseas conduct is legal under local law
- 103 Money laundering: threshold amounts
- 104 Money laundering: disclosures to identify persons and property
- 105 Money laundering: form and manner of disclosures
- 106 Money laundering: miscellaneous amendments
- 107 Money laundering offences
- 108 International co-operation
- 109 Minor and consequential amendments relating to Chapter 6

PART 3

POLICE POWERS ETC.

Powers of arrest

- 110 Powers of arrest
- 111 Powers of arrest: supplementary

Exclusion zones

- 112 Power to direct a person to leave a place

Search warrants

- 113 Search warrants: premises
114 Search warrants: other amendments

Fireworks

- 115 Power to stop and search for prohibited fireworks

Photographing of suspects etc.

- 116 Photographing of suspects etc.

Fingerprints and footwear impressions

- 117 Fingerprints
118 Impressions of footwear

Intimate samples

- 119 Intimate samples

Custody officers

- 120 Staff custody officers: designation
121 Custody officers: amendments to PACE

Designated and accredited persons

- 122 Powers of designated and accredited persons

Provision of information for use by police staff

- 123 Provision of information for use by police staff

Interpretation of Part 3

- 124 Interpretation of Part 3

PART 4**PUBLIC ORDER AND CONDUCT IN PUBLIC PLACES ETC.***Harassment*

- 125 Harassment intended to deter lawful activities
126 Harassment etc. of a person in his home
127 Harassment etc: police direction to stay away from person's home

Trespass on designated site

- 128 Offence of trespassing on designated site
129 Corresponding Scottish offence
130 Designated sites: powers of arrest
131 Designated sites: access

Demonstrations in vicinity of Parliament

- 132 Demonstrating without authorisation in designated area
- 133 Notice of demonstrations in designated area
- 134 Authorisation of demonstrations in designated area
- 135 Supplementary directions
- 136 Offences under sections 132 to 135: penalties
- 137 Loudspeakers in designated area
- 138 The designated area

Anti-social behaviour

- 139 Orders about anti-social behaviour etc.
- 140 Variation and discharge of anti-social behaviour orders made on conviction
- 141 Anti-social behaviour orders etc: reporting restrictions
- 142 Contracting out of local authority functions relating to anti-social behaviour orders
- 143 Special measures for witnesses in proceedings for anti-social behaviour orders etc.

Parental compensation orders

- 144 Parental compensation orders

PART 5

MISCELLANEOUS

Protection of activities of certain organisations

- 145 Interference with contractual relationships so as to harm animal research organisation
- 146 Intimidation of persons connected with animal research organisation
- 147 Penalty for offences under sections 145 and 146
- 148 Animal research organisations
- 149 Extension of sections 145 to 147

Vehicle registration and insurance and road traffic offences

- 150 Offence in respect of incorrectly registered vehicles
- 151 Power of constables etc. to require production of registration documents in respect of a vehicle
- 152 Power to seize etc. vehicles driven without licence or insurance
- 153 Disclosure of information about insurance status of vehicles
- 154 Power to require specimens of breath at roadside or at hospital etc.
- 155 Payments by Secretary of State to police authorities in relation to the prevention, detection and enforcement of certain traffic offences
- 156 Payments by Scottish Ministers to police authorities etc. in relation to the prevention, detection and enforcement of certain traffic offences

Local policing information

- 157 Publication of local policing information

Other miscellaneous police matters

- 158 Responsibilities in relation to the health and safety etc. of police
- 159 Investigations: accelerated procedure in special cases
- 160 Investigations: deaths and serious injuries during or after contact with the police

Royal Parks etc.

- 161 Abolition of Royal Parks Constabulary
- 162 Regulation of specified parks

Criminal record checks

- 163 Criminal record certificates
- 164 Criminal records checks: verification of identity
- 165 Certain references to police forces
- 166 Further amendments to Police Act 1997 as it applies to Scotland
- 167 Part 5 of the Police Act 1997: Northern Ireland
- 168 Part 5 of the Police Act 1997: Channel Islands and Isle of Man

Witness summonses

- 169 Powers of Crown Court and Magistrates' Court to issue witness summons
- 170 Powers of courts-martial etc. to issue warrants of arrest in respect of witnesses

Private Security Industry Act 2001: Scotland

- 171 Private Security Industry Act 2001: Scottish extent

PART 6

FINAL PROVISIONS

- 172 Orders and regulations
- 173 Supplementary, incidental, consequential etc. provision
- 174 Minor and consequential amendments, repeals and revocations
- 175 Penalties for offences: transitional modification for England and Wales
- 176 Expenses
- 177 Interpretation
- 178 Commencement
- 179 Short title and extent

SCHEDULES**SCHEDULE 1 — The Serious Organised Crime Agency****Part 1 — THE BOARD OF SOCA**

- 1 Membership
- 2 Tenure of office: chairman and ordinary members
- 3 (1) An appointment of a person to hold office as...
- 4 The Secretary of State may by notice in writing remove...
- 5 A person who ceases to be the chairman or an...
- 6 Remuneration, pensions etc. of chairman and ordinary members

- 7 Termination of office of ex-officio members
 - Part 2 — DIRECTOR GENERAL AND OTHER STAFF
- 8 SOCA's staff
- 9 The Director General
- 10 Termination or suspension of appointment of Director General
- 11 Delegation of functions of Director General
- 12 Remuneration and pensions of staff
- 13 (1) SOCA may pay, or make payments in respect of,...
- 14 Insurance
 - Part 3 — COMMITTEES, PROCEDURE ETC.
- 15 Committees
- 16 Delegation to committees and staff
- 17 Proceedings
- 18 (1) The validity of any proceedings of SOCA, or any...
- 19 Evidence
 - Part 4 — GENERAL
- 20 Status
- 21 Incidental powers

SCHEDULE 2 — Functions of Independent Police Complaints Commission in relation to SOCA

- 1 The Police Reform Act 2002 (c. 30) has effect subject...
- 2 In section 9(3) (persons ineligible for appointment as members of...
- 3 (1) Section 10 (general functions of the Commission) is amended...
- 4 (1) Section 11 (reports) is amended as follows.
- 5 (1) Section 15 (general duties of police authorities etc.) is...
- 6 In section 16 (payment for assistance with investigations), for subsections...
- 7 Omit section 25 (NCIS and NCS).
- 8 After section 26 insert— Serious Organised Crime Agency (1) The Commission and the Serious Organised Crime Agency must...
- 9 In section 29(3) (interpretation)— (a) for paragraph (b) substitute—
- 10 In section 108(7) (extent etc.), omit paragraph (e).
- 11 (1) Schedule 3 (handling of complaints and conduct matters) is...

SCHEDULE 3 — Transfers to SOCA

- 1 Interpretation
- 2 Staff
- 3 A transfer scheme may provide— (a) for relevant service within...
- 4 (1) A transfer scheme may provide— (a) for the secondment...
- 5 (1) A transfer scheme may provide— (a) for the transfer...
- 6 (1) A transfer scheme may provide for a person who—...
- 7 (1) A transfer scheme may provide for the termination of...
- 8 Property, rights and liabilities etc.
- 9 A transfer scheme may provide for SOCA to make any...
- 10 Supplementary
- 11 (1) Before making a transfer scheme which contains any provision...
- 12 Power to make regulations

SCHEDULE 4 — Minor and consequential amendments relating to SOCA

- 1 Explosives Act 1875 (c. 17)
- 2 Police (Property) Act 1897 (c. 30)
- 3 Army Act 1955 (3 & 4 Eliz. 2 c. 18)

- 4 Air Force Act 1955 (3 & 4 Eliz. 2 c. 19)
- 5 Naval Discipline Act 1957 (c. 53)
- 6 Public Records Act 1958 (c. 51)
- 7 Trustee Investments Act 1961 (c. 62)
- 8 In section 11(4) (local authority investment schemes)—
- 9 In Part 2 of Schedule 1 (narrower-range investments requiring advice)...
- 10 Offices, Shops and Railway Premises Act 1963 (c. 41)
- 11 Parliamentary Commissioner Act 1967 (c. 13)
- 12 Police (Scotland) Act 1967 (c. 77)
- 13 In section 33 (inspectors of constabulary), in subsections (3) and...
- 14 (1) Section 38A (constables engaged on service outside their force)...
- 15 In section 39(4) (liability for wrongful acts of constables) for...
- 16 In section 41(4)(a) (assaults on constables) omit “or by a...
- 17 Leasehold Reform Act 1967 (c. 88)
- 18 Firearms Act 1968 (c. 27)
- 19 Employment Agencies Act 1973 (c. 35)
- 20 Health and Safety at Work etc. Act 1974 (c. 37)
- 21 District Courts (Scotland) Act 1975 (c. 20)
- 22 House of Commons Disqualification Act 1975 (c. 24)
- 23 In section 1(1) (disqualification for membership of House of Commons)...
- 24 (1) Schedule 1 (disqualifying offices) is amended as follows.
- 25 Northern Ireland Assembly Disqualification Act 1975 (c. 25)
- 26 In section 1(1) (disqualification for membership of Assembly) omit paragraph...
- 27 (1) Schedule 1 (disqualifying offices) is amended as follows.
- 28 Sex Discrimination Act 1975 (c. 65)
- 29 Police Pensions Act 1976 (c. 35)
- 30 In section 7(2) (payment of pensions and contributions), at the...
- 31 (1) Section 11 (interpretation) is amended as follows.
- 32 Paragraphs 30 and 31 (and the corresponding entry in Schedule...
- 33 Race Relations Act 1976 (c. 74)
- 34 (1) Section 76B (other police bodies) is amended as follows....
- 35 In Schedule 1A (bodies and other persons subject to general...
- 36 Sex Discrimination (Northern Ireland) Order 1976 (S.I. 1976/1042 (N.I. 15))
- 37 In Article 84(8) (police officers) for “section 23 of the...
- 38 In Article 85 (other police bodies), for paragraph (6) substitute—...
- 39 Health and Safety at Work (Northern Ireland) Order 1978 (S.I. 1978/1039 (N.I. 9))
- 40 Law Reform (Miscellaneous Provisions) (Scotland) Act 1980 (c. 55)
- 41 Stock Transfer Act 1982 (c. 41)
- 42 Road Traffic Regulation Act 1984 (c. 27)
- 43 Police and Criminal Evidence Act 1984 (c. 60)
- 44 In section 5 (reports of recorded searches and road checks)...
- 45 In section 55 (intimate searches) omit subsection (14A).
- 46 In section 63A(1A) (supplementary provision about fingerprints and samples) for...
- 47 Prosecution of Offences Act 1985 (c. 23)
- 48 Ministry of Defence Police Act 1987 (c. 4)
- 49 In section 2B(3) (constables serving with other forces), in the...
- 50 After section 2B insert— Constables serving with Serious Organised Crime...

- 51 Dartford-Thurrock Crossing Act 1988 (c. 20)
- 52 Road Traffic Act 1988 (c. 52)
- 53 (1) In section 124 (exemption from requirements regarding paid driving...
- 54 In section 144(2) (exemption from requirement of third-party insurance or...
- 55 Security Service Act 1989 (c. 5)
- 56 In section 1(4) (functions of the Security Service) for “,...
- 57 In section 2(2)(c) (duties of the Director General)—
- 58 Official Secrets Act 1989 (c. 6)
- 59 Aviation and Maritime Security Act 1990 (c. 31)
- 60 Tribunals and Inquiries Act 1992 (c. 53)
- 61 In section 7(2) (removal of members of certain tribunals) after...
- 62 In Schedule 1 (tribunals under supervision of Council on Tribunals)...
- 63 Criminal Appeal Act 1995 (c. 35)
- 64 Disability Discrimination Act 1995 (c. 50)
- 65 (1) The section 64A (police) inserted by the Disability Discrimination...
- 66 In the section 64A (police) inserted by the Disability Discrimination...
- 67 (1) The section 64B (other police bodies) inserted by the...
- 68 Police Act 1996 (c. 16)
- 69 Omit section 23(8) (collaboration agreements).
- 70 Omit section 24(5) (mutual aid).
- 71 (1) Section 54 (appointment and functions of inspectors of constabulary)...
- 72 In section 55 (publication of reports) omit subsection (7).
- 73 (1) Section 57 (common services) is amended as follows.
- 74 Omit section 59(8) (police federations).
- 75 Omit section 60(2A) (regulations for police federations).
- 76 In section 61(1) (police negotiating board) omit paragraphs (aa) and...
- 77 (1) Section 62 (functions of negotiating board with respect to...
- 78 (1) Section 63 (police advisory boards) is amended as follows....
- 79 In section 64 (membership of trade unions) omit subsections (4A)...
- 80 (1) Section 88 (liability for wrongful acts of constables) is...
- 81 In section 89(4)(a) (assaults on constables) omit “or by a...
- 82 (1) Section 97 (police officers engaged on service outside their...
- 83 (1) Section 98 (cross-border aid) is amended as follows.
- 84 Employment Rights Act 1996 (c. 18)
- 85 In section 43KA(2) (application of Part 4A of that Act...
- 86 In section 50(2) (right to time off for public duties)...
- 87 In section 134A (application of section 100 of that Act...
- 88 Juries (Northern Ireland) Order 1996 (S.I. 1996/1141 (N.I. 6))
- 89 Employment Rights (Northern Ireland) Order 1996 (S.I. 1996/1919 (N.I. 16))
- 90 In Article 67KA(3) (application of Part VA of that Order...
- 91 In Article 72A(2) (application of Article 68 of that Order...
- 92 In Article 169A(2) (application of Article 132 of that Order...
- 93 Police (Health and Safety) Act 1997 (c. 42)
- 94 Police Act 1997 (c. 50)
- 95 Omit sections 1 to 87 (provision about NCIS and NCS...
- 96 Omit sections 89 and 90 (general provision about NCS).
- 97 (1) Section 93 (authorisations to interfere with property) is amended...
- 98 (1) Section 94 (authorisations in absence of authorising officer) is...
- 99 (1) Section 95 (form and duration of authorisations) is amended...

-
- 100 (1) Section 97 (authorisations requiring approval) is amended as follows....
- 101 In section 105(3) (supplementary provision about appeals) for “, (d),...
- 102 In section 107(4)(b) (exclusions from Chief Commissioner’s report) for “Service...
- 103 (1) Section 109 (Police Information Technology Organisation) is amended as...
- 104 (1) Section 111 (interpretation of Part 5) is amended as...
- 105 In section 137(2) (extent) omit paragraphs (b) and (c).
- 106 Omit Schedules 1 to 2A (Service Authorities for NCIS and...
- 107 Race Relations (Northern Ireland) Order 1997 (S.I. 1997/869 (N.I. 6))
- 108 In Article 72A(8) (police officers) for “section 23 of the...
- 109 In Article 72B (other police bodies), for paragraph (6) substitute—...
- 110 Police (Health and Safety) (Northern Ireland) Order 1997 (S.I. 1997/1774 (N.I. 16))
- 111 Audit Commission Act 1998 (c. 18)
- 112 Data Protection Act 1998 (c. 29)
- 113 Police (Northern Ireland) Act 1998 (c. 32)
- 114 (1) Section 27 (members of Police Service of Northern Ireland...
- 115 In section 29(5) (liability for wrongful acts of constables) for...
- 116 In section 41 (inspectors of constabulary) for subsections (3) and...
- 117 (1) Section 42 (publication of reports of inspectors of constabulary)...
- 118 Crime and Disorder Act 1998 (c. 37)
- 119 Fair Employment and Treatment (Northern Ireland) Order 1998 (S.I. 1998/3162 (N.I. 21))
- 120 In Article 94(6) (police officers) for “section 23 of the...
- 121 In Article 94A (other police bodies), for paragraph (6) substitute—...
- 122 Immigration and Asylum Act 1999 (c. 33)
- 123 In section 20(1) (supply of information to Secretary of State)...
- 124 (1) Section 21 (supply of information by Secretary of State)...
- 125 Terrorism Act 2000 (c. 11)
- 126 In section 19(7B) (duty to disclose information)—
- 127 In section 20(5) (permission to disclose information)—
- 128 In section 21A(14) (failure to disclose: regulated sector)—
- 129 In section 21B(7) (protected disclosures)— (a) for “person” substitute “member...
- 130 In Schedule 14 (exercise of officers’ powers), in paragraph 4(1),...
- 131 Regulation of Investigatory Powers Act 2000 (c. 23)
- 132 (1) Section 6 (application for issue of an interception warrant)...
- 133 (1) In section 17(3) (exclusion of matters from legal proceedings)...
- 134 (1) In section 19(2) (unauthorised disclosures) for paragraphs (c) and...
- 135 (1) Section 25 (interpretation) is amended as follows.
- 136 In section 32(6) (authorisation of intrusive surveillance) for paragraphs (k)...
- 137 (1) Section 33 (rules for grant of authorisation) is amended...
- 138 (1) Section 34 (grant of authorisations in absence of senior...
- 139 (1) Section 35 (notification of certain authorisations) is amended as...
- 140 (1) Section 36 (approval required for authorisations to take effect)...
- 141 In section 37(1) (quashing of police and customs authorisations) for...
- 142 In section 40 (duty to provide information to Surveillance Commissioners)...
- 143 In section 45(6) (cancellation of authorisations)— (a) at the end...

- 144 In section 46(3) (restriction on authorisations extending to Scotland)
after...
- 145 In section 49(1)(e) (notices requiring disclosure) after “the police” (in...
- 146 (1) Section 51 (cases in which key required) is amended...
- 147 In section 54(3) (tipping-off) after “police” (in both places) insert...
- 148 (1) Section 55 (duties of specified authorities) is amended as...
- 149 In section 56(1) (interpretation)— (a) in the definition of “chief...
- 150 In section 58(1) (co-operation with Commissioner) for paragraphs (b)
and...
- 151 In section 65(6) (the Tribunal) for paragraphs (d) and (e)...
- 152 In section 68(7) (disclosure to Tribunal) for paragraphs (b) and...
- 153 In section 75(6) (authorisations under Part 3 of Police Act...
- 154 (1) Section 76A (foreign surveillance operations) is amended as
follows....
- 155 (1) In Schedule 1 (relevant authorities) for paragraphs 2 and...
- 156 (1) Schedule 2 (persons having appropriate permission) is amended as...
- 157 Football (Disorder) Act 2000 (c. 25)
- 158 Freedom of Information Act 2000 (c. 36)
- 159 In section 23(3) (bodies supplying information which is exempt) omit...
- 160 In Schedule 1 (list of public authorities), in Part 6,...
- 161 Criminal Justice and Court Services Act 2000 (c. 43)
- 162 Criminal Justice and Police Act 2001 (c. 16)
- 163 In section 88(8) (functions of Central Police Training and
Development...
- 164 (1) Section 104 (vice-chairmen) is amended as follows.
- 165 (1) Section 107 (payment of allowances to authority members) is...
- 166 Omit sections 108 to 121 (provision about NCIS and NCS...
- 167 Omit section 138(6)(d) (extent).
- 168 Proceeds of Crime Act 2002 (c. 29)
- 169 In section 313(1) (restriction on performance by police of functions...
- 170 In section 330(5)(a) (required disclosure of information regarding
money laundering)...
- 171 In section 331(5)(a) (required disclosure of information regarding
money laundering)...
- 172 In section 332(5)(a) (required disclosure of information regarding
money laundering)...
- 173 In section 336 (giving of consent by a nominated officer)...
- 174 In section 340(13) (interpretation of references to constable) for “the...
- 175 In section 378(5) (interpretation of references to officers) for “the...
- 176 In section 436(5) (persons permitted to disclose information to the...
- 177 In section 439(5) (persons permitted to disclose information to the...
- 178 In section 445(2)(b) (external investigations) for “the Director General
of...
- 179 Police Reform Act 2002 (c. 30)
- 180 Omit section 8 (powers of Secretary of State in relation...
- 181 (1) Section 38 (exercise of police powers by civilian employees)...
- 182 In section 42 (supplementary provisions relating to exercise of police...
- 183 (1) Section 45 (code of practice relating to exercise of...
- 184 In section 47(1) (interpretation) omit the definitions of “Director
General”...
- 185 (1) Section 82 (police nationality requirements) is amended as
follows....
- 186 Omit sections 85 to 91 (NCIS and NCS: general provisions)....

- 187 Omit section 93 (quorum for NCIS and NCS service authorities)....
- 188 (1) Section 102 (liability for wrongful acts of constables) is...
- 189 (1) Section 103 (liability in respect of members of teams)...
- 190 In Schedule 4 (powers exercisable by police civilians), in paragraph...
- 191 Crime (International Co-operation) Act 2003 (c. 32)
- 192 Courts Act 2003 (c. 39)
- 193 Sexual Offences Act 2003 (c. 42)
- 194 In section 94(3) (supply of information for verification) for paragraphs...
- 195 In section 95(2) (supply of information by Secretary of State)...
- 196 Criminal Justice Act 2003 (c. 44)
- 197 Energy Act 2004 (c. 20)
- 198 In section 59(3) (members of civil nuclear constabulary serving with...
- 199 After section 59 insert— Constables serving with Serious Organised
Crime...
- 200 Domestic Violence, Crime and Victims Act 2004 (c. 28)

SCHEDULE 5 — Persons specified for the purposes of section 82

- 1 A person who is or might be, or who has...
- 2 A person who has complied with a disclosure notice given...
- 3 (1) A person who has been given an immunity notice...
- 4 A person who is or has been a member of...
- 5 A person who holds or has held judicial office (whether...
- 6 A person who is or has been a justice of...
- 7 A person who is or has been a member of...
- 8 A person who conducts or has conducted criminal prosecutions
(whether...
- 9 (1) A person who is or has been the Director...
- 10 (1) A person who is or has been the Director...
- 11 A person who is or has been under the direction...
- 12 (1) A person who is or has been the Director...
- 13 A person who is or has been a constable.
- 14 A person who is or has been designated under—
- 15 A person who is a police custody and security officer...
- 16 A person who— (a) is or has been an officer...
- 17 A person who is or has been a person appointed...
- 18 A person who is or has been a member of...
- 19 (1) A person who is or has been the Director...
- 20 (1) A person who is or has been the Director...
- 21 (1) A person who is or has been the Director...
- 22 (1) A person who is or has been the head...
- 23 (1) A person who is or has been a person...
- 24 (1) A person who is or has been a person...
- 25 (1) A person who is or has been the head...
- 26 A person who is or has been a prison officer....
- 27 A person who is or has been a covert human...
- 28 A person— (a) who is a member of the family...

SCHEDULE 6 — Minor and consequential amendments relating to Chapter 6 of Part 2

- 1 Prescription and Limitation (Scotland) Act 1973 (c. 52)
- 2 Limitation Act 1980 (c. 58)
- 3 Limitation (Northern Ireland) Order 1989 (S.I. 1989/1339 (N.I. 11))
- 4 Proceeds of Crime Act 2002 (c. 29)

- 5 In section 82(f) (confiscation: England and Wales: property is free...
- 6 In section 148(f) (confiscation: Scotland: property is free property if...
- 7 In section 230(f) (confiscation: Northern Ireland: property is free property...
- 8 In section 241(2)(a) (conduct occurring outside the United Kingdom that...
- 9 In section 243 (proceedings for recovery orders in England and...
- 10 Before section 248 (and its heading) insert the following heading—...
- 11 (1) Section 248 (registration: England and Wales) is amended as...
- 12 (1) Section 249 (registration: Northern Ireland) is amended as follows....
- 13 Before section 250 (and its heading) insert the following heading—...
- 14 (1) Section 252 (interim receiving orders: prohibition on dealings) is...
- 15 In section 266 (recovery orders), after subsection (8) insert—
- 16 In section 271(4) (certain payments to trustee for civil recovery...
- 17 In section 272(5) (provision in recovery orders for compensation for...
- 18 In section 280(2) (application of realised proceeds of recovery order) —...
- 19 In section 283 (compensation where interim receiving order etc. has...
- 20 After section 286 insert— Legal expenses excluded from freezing: required...
- 21 In section 287 (financial threshold for starting proceedings), in subsections...
- 22 (1) Section 316(1) (interpretation of Part 5) is amended as...
- 23 In section 432 (insolvency practitioners), in subsections (1)(b), (8)(a) and...

SCHEDULE 7 — Powers of Arrest: supplementary

Part 1 — SPECIFIC REPEALS

- 1 Unlawful Drilling Act 1819 (60 Geo. 3 & 1 Geo. 4 c. 1)
- 2 Vagrancy Act 1824 (c. 83)
- 3 Railway Regulation Act 1842 (c. 55)
- 4 Companies Clauses Consolidation Act 1845 (c. 16)
- 5 Railways Clauses Consolidation Act 1845 (c. 20)
- 6 Licensing Act 1872 (c. 94)
- 7 Public Stores Act 1875 (c. 25)
- 8 London County Council (General Powers) Act 1894 (c. ccxii)
- 9 London County Council (General Powers) Act 1900 (c. cclxviii)
- 10 Licensing Act 1902 (c. 28)
- 11 Protection of Animals Act 1911 (c. 27)
- 12 Official Secrets Act 1911 (c. 28)
- 13 Public Order Act 1936 (1 Edw. 8 & 1 Geo. 6 c. 6)
- 14 Street Offences Act 1959 (c. 57)
- 15 Criminal Justice Act 1967 (c. 80)
- 16 Ministry of Housing and Local Government Provisional Order Confirmation (Greater London Parks and Open Spaces) Act 1967 (c. xxix)
- 17 Theft Act 1968 (c. 60)
- 18 Port of London Act 1968 (c. xxxii)
- 19 Criminal Law Act 1977 (c. 45)
- 20 Theft Act 1978 (c. 31)
- 21 Animal Health Act 1981 (c. 22)
- 22 Local Government (Miscellaneous Provisions) Act 1982 (c. 30)
- 23 Aviation Security Act 1982 (c. 36)

- 24 Police and Criminal Evidence Act 1984 (c. 60)
- 25 Sporting Events (Control of Alcohol etc.) Act 1985 (c. 57)
- 26 Public Order Act 1986 (c. 64)
- 27 Road Traffic Act 1988 (c. 52)
- 28 Football Spectators Act 1989 (c. 37)
- 29 Transport and Works Act 1992 (c. 42)
- 30 Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52)
- 31 Criminal Justice and Public Order Act 1994 (c. 33)
- 32 Reserve Forces Act 1996 (c. 14)
- 33 Confiscation of Alcohol (Young Persons) Act 1997 (c. 33)
- 34 Crime and Disorder Act 1998 (c. 37)
- 35 Criminal Justice and Police Act 2001 (c. 16)
- 36 Anti-social Behaviour Act 2003 (c. 38)
- 37 Hunting Act 2004 (c. 37)
- Part 2 — GENERAL REPEAL
- 38 So much of the enactments set out in the second...
 - Part 3 — AMENDMENTS RELATING TO REFERENCES TO ARRESTABLE OFFENCES AND SERIOUS ARRESTABLE OFFENCES
- 39 Criminal Law Act 1826 (c. 64)
- 40 Criminal Law Act 1967 (c. 58)
- 41 Port of London Act 1968 (c. xxxii)
- 42 Solicitors Act 1974 (c. 47)
- 43 Police and Criminal Evidence Act 1984 (c. 60)
- 44 Administration of Justice Act 1985 (c. 61)
- 45 Housing Act 1985 (c. 68)
- 46 Housing Act 1988 (c. 50)
- 47 Criminal Justice and Public Order Act 1994 (c. 33)
- 48 Terrorism Act 2000 (c. 11)
- 49 International Criminal Court Act 2001 (c. 17)
- 50 Armed Forces Act 2001 (c. 19)
- 51 Crime (International Co-operation) Act 2003 (c. 32)
- Part 4 — OTHER AMENDMENTS
- 52 Game Laws (Amendment) Act 1960 (c. 36)
- 53 Immigration Act 1971 (c. 77)
- 54 Customs and Excise Management Act 1979 (c. 2)
- 55 Animal Health Act 1981 (c. 22)
- 56 Wildlife and Countryside Act 1981 (c. 69)
- 57 Aviation Security Act 1982 (c. 36)
- 58 Police and Criminal Evidence Act 1984 (c. 60)
- 59 Road Traffic Act 1988 (c. 52)
- 60 Aviation and Maritime Security Act 1990 (c. 31)
- 61 Deer Act 1991 (c. 54)
- 62 Gangmasters (Licensing) Act 2004 (c. 11)
- 63 Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19)

SCHEDULE 8 — Powers of designated and accredited persons

Part 1 — DESIGNATED PERSONS

- 1 Schedule 4 to the Police Reform Act 2002 (c. 30)...
- 2 Community support officers
- 3 (1) Paragraph 2 (power to detain etc.) is amended as...
- 4 After paragraph 2 insert— Powers to search individuals and to...
- 5 In paragraph 3 (power to require name and address of...

- 6 After paragraph 3 insert— Power to require name and address:...
- 7 In paragraph 4 (power to use reasonable force to detain...
- 8 After paragraph 7 insert— Search and seizure powers: alcohol and...
- 9 After paragraph 8 insert— Entry to investigate licensing offences (1)
Where a designation applies this paragraph to any person,...
- 10 After paragraph 11A insert— Power to control traffic for purposes...
- 11 After paragraph 13 insert— Power to place traffic signs (1) Where a
designation applies this paragraph to any person,...
- 12 After paragraph 15 insert— Photographing of persons arrested, detained
or...
- 13 Investigating officers
- 14 After paragraph 16 insert— Where a designation applies this paragraph
to any person—
- 15 In paragraph 17 (access to excluded and special procedure material)—...
- 16 Detention officers
- Part 2 — ACCREDITED PERSONS
- 17 Schedule 5 to the Police Reform Act 2002 (c. 30)...
- 18 In paragraph 2 (power to require giving of name and...
- 19 After paragraph 3 insert— Power to require name and address:...
- 20 After paragraph 8A insert— Power to control traffic for purposes...
- 21 After paragraph 9 insert— Photographing of persons given fixed
penalty...

SCHEDULE 9 — Additional powers and duties of designated persons

- 1 Schedule 4 to the Police Reform Act 2002 (c. 30)...
- 2 Community Support Officers
- 3 In paragraph 4 (power to use reasonable force to detain...
- 4 After paragraph 4 insert— Where a designation applies this paragraph
to any person, that...
- 5 Investigating officers
- 6 After paragraph 22 insert— Powers in respect of detained persons...
- 7 Detention officers
- 8 Escort officers
- 9 (1) Paragraph 35 (escort of persons in police detention) is...
- 10 Staff custody officers

SCHEDULE 10 — Parental compensation orders

Part 1 — ENGLAND AND WALES

- 1 The Crime and Disorder Act 1998 (c. 37) is amended...
- 2 After section 13 insert— Parental compensation orders (1) A
magistrates' court may make an order under this...
- 3 (1) Section 8 (parenting orders) is amended as follows.
- 4 In section 18 (interpretation of Chapter 1), in subsection (1),...
- 5 In section 114 (orders and regulations), in subsection (3), after...
- 6 The amendments made by paragraph 2 of this Schedule do...

Part 2 — NORTHERN IRELAND

- 7 The Criminal Justice (Children) (Northern Ireland) Order 1998 (S.I.
1998/1504)...
- 8 After Article 36 insert— Parental compensation orders (1) A
magistrates' court may make an order under this...
- 9 In Article 2 (interpretation), in paragraph (2), in the appropriate...
- 10 The amendments made by paragraph 8 of this Schedule do...

SCHEDULE 11 — Investigations into conduct of police officers: accelerated procedure in special cases

- 1 Schedule 3 to the Police Reform Act 2002 (c. 30)...
- 2 In paragraph 20(1)— (a) for “until” substitute until—
- 3 After paragraph 20 insert— Accelerated procedure in special cases (1)
If, at any time before the completion of his...
- 4 In paragraph 25, after sub-paragraph (2) insert—

SCHEDULE 12 — Investigations of deaths and serious injuries during or after contact with the police

- 1 The Police Reform Act 2002 (c. 30) has effect subject...
- 2 (1) Section 10(2) (general functions of the Commission) is amended...
- 3 In section 12 (matters to which Part 2 applies), after...
- 4 In the following provisions, for “and conduct matters” substitute “,...
- 5 (1) Section 16(2) (assistance for which payment is required) is...
- 6 In section 18 (inspection of police premises on behalf of...
- 7 (1) Section 21 (duty to provide information) is amended as...
- 8 (1) Section 22 (power of Commission to issue guidance) is...
- 9 (1) Section 23(2) (regulations) is amended as follows.
- 10 (1) Section 29 (interpretation) is amended as follows.
- 11 Schedule 3 (handling of complaints and conduct matters) is amended...
- 12 After paragraph 14 insert— Part 2A handling of death and...
- 13 In paragraph 15(1)(a) and (8) (power of the Commission to...
- 14 (1) Paragraph 16 (investigations by the appropriate authority on its...
- 15 (1) Paragraph 17 (investigations supervised by the Commission) is
amended...
- 16 (1) Paragraph 18 (investigations managed by the Commission) is
amended...
- 17 (1) Paragraph 19 (investigations by the Commission itself) is amended...
- 18 In paragraph 20(1) (restrictions on proceedings pending the conclusion
of...
- 19 In paragraph 21(4) (power of the Commission to discontinue an...
- 20 After paragraph 21 insert— Procedure where conduct matter is
revealed...
- 21 For paragraph 22 (final reports on investigations) substitute— Final
reports...
- 22 (1) In the heading preceding paragraph 23, after “investigation report”...
- 23 (1) In the heading preceding paragraph 24, after “investigation report”...
- 24 After paragraph 24 insert— Final reports on investigations: other DSI...

SCHEDULE 13 — Abolition of Royal Parks Constabulary: supplementary

Part 1 — TRANSFERS TO METROPOLITAN POLICE AUTHORITY

- 1 Interpretation
- 2 Establishment of eligibility for transfer
- 3 (1) The Secretary of State may terminate the Crown employment...
- 4 Relevant persons
- 5 (1) A transfer scheme may provide for the appointment as...
- 6 Property, rights and liabilities, etc.
- 7 Consultation
- 8 Termination of employment

Part 2 — AMENDMENTS

- 9 Royal Parks (Trading) Act 2000 (c. 13)
- 10 Regulation of Investigatory Powers Act 2000 (c. 23)

- 11 Police Reform Act 2002 (c. 30)
- 12 (1) Section 82 (police nationality requirements) is amended as follows....
- 13 (1) Schedule 4 (powers exercisable by police civilians) is amended...

SCHEDULE 14 — Amendments of Part 5 of Police Act 1997

- 1 Part 5 of the Police Act 1997 (c. 50) (certificates...
- 2 In section 114(3) for “Section 113(3) to (5)” substitute “Sections...
- 3 In section 116— (a) in the application to Scotland of...
- 4 In section 119— (a) in subsection (1A) for “section 113(3A)...
- 5 In section 119A(2) for the words from “under” to “adults”...
- 6 In section 120— (a) in subsection (3)(b) for “113 or...
- 7 In section 120ZA(4)(b) for “113 or 115” substitute “113A or...
- 8 In section 120A (as inserted by section 134(1) of the...
- 9 In section 120B (as inserted by section 70 of the...
- 10 In section 121 for “under section 114(2), 115(4) or (10),...
- 11 In section 122(3) and (4)(b) for “113 or 115” substitute...
- 12 In section 124— (a) in subsections (1), (2), (3), (4)...
- 13 In section 124B— (a) in subsection (1) for “113” substitute...
- 14 In section 125, at the end add—

SCHEDULE 15 — Private Security Industry Act 2001: Scottish extent

- 1 The Private Security Industry Act 2001 (c. 12) is amended...
- 2 In section 2 (directions etc. by the Secretary of State)—...
- 3 After section 2 insert— Authority to be treated as cross-border...
- 4 In section 3 (conduct prohibited without a licence), after subsection...
- 5 In section 7 (licensing criteria), after subsection (5) insert—
- 6 In section 11 (appeals in licensing matters)—
- 7 In section 13 (licensing at local authority level), at the...
- 8 In section 15(1) (duty to secure arrangements are in force...
- 9 In section 18 (appeals relating to approvals)—
- 10 In section 23 (criminal liability of directors etc.), the existing...
- 11 In section 24 (consultation with Security Industry Authority before making...
- 12 In section 26 (short title, commencement and extent)—
- 13 In Schedule 1 (the Security Industry Authority)—
- 14 In Schedule 2 (activities liable to control under the Private...

SCHEDULE 16 — Remaining minor and consequential amendments (search warrants)

- 1 Incitement to Disaffection Act 1934 (c. 56)
- 2 Public Order Act 1936 (1 Edw. 8 & 1 Geo. 6 c. 6)
- 3 Wireless Telegraphy Act 1949 (c. 54)
- 4 Licensing Act 1964 (c. 26)
- 5 Biological Weapons Act 1974 (c. 6)
- 6 Copyright, Designs and Patents Act 1988 (c. 48)
- 7 Computer Misuse Act 1990 (c. 18)
- 8 Trade Marks Act 1994 (c. 26)

SCHEDULE 17 — Repeals and revocations

- Part 1 — REPEALS COMING INTO FORCE ON ROYAL ASSENT
Part 2 — OTHER REPEALS AND REVOCATIONS