

*These notes refer to the Police and Justice Act 2006
(c.48) which received Royal Assent on 8 November 2006*

POLICE AND JUSTICE ACT 2006

EXPLANATORY NOTES

TERRITORIAL EXTENT

13. Most of the Act's provisions extend only to England and Wales. However certain provisions extend also to Scotland; and certain provisions also to Northern Ireland. Provisions of the Act that amend existing legislation have the same extent as the legislation amended. This means that certain provisions extend only to Scotland or Northern Ireland in so far as they amend or repeal existing statutory provisions extending only to Scotland or Northern Ireland. The Act addresses both reserved and devolved matters.
14. The following provisions of the Act extend also to Scotland:
- section 1 and Schedule 1, in so far as relating to the abolition of PITO (a cross-border body);
 - section 5 and Schedule 3 (merging police pension schemes);
 - amendments made by section 12 to the Aviation Security Act 1982 (the extension of stop and search powers at aerodromes);
 - amendments made by section 14 to the Immigration, Asylum and Nationality Act 2006 (new police powers to collect data in relation to domestic air and sea travel);
 - sections 35 to 37 (amendments to the Computer Misuse Act 1990) and section 38;
 - section 41 (the extension of the IPCC's remit to immigration and asylum enforcement functions);
 - amendments made by sections 42 and 43, and Part 1 of Schedule 13, to extradition legislation; and
 - any other provision amending or repealing an existing statutory provision extending to Scotland.
15. The following provisions of the Act extend also to Northern Ireland:
- section 1 and Schedule 1, in so far as relating to the abolition of PITO (a cross-border body);
 - section 5 and Schedule 3 (merging police pension schemes)
 - section 6 (consultation with the APA and ACPO);
 - section 13 (new power for the Registrar General to supply information from death registers to the police);
 - amendments made by section 12 to the Aviation Security Act 1982 (the extension of stop and search powers at aerodromes);
 - amendments made by section 14 to the Immigration, Asylum and Nationality Act 2006 (new police powers to collect data relating to domestic air and sea travel);

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- sections 35 to 37 (amendments to the Computer Misuse Act 1990) and section 38;
 - section 41 (the extension of the IPCC's remit to immigration and asylum enforcement functions);
 - amendments made by sections 42 and 43, and Part 1 of Schedule 13, to extradition legislation; and
 - any other provision amending or repealing an existing statutory provision extending to Northern Ireland.
16. [Section 40](#) and Schedule 12 (forfeiture of indecent photographs of children) extend only to Northern Ireland, as do consequential amendments to existing statutory provisions relating only to Northern Ireland, and repeals of such provisions.
17. In relation to Wales, the subject-matter of the Act has not been transferred except for:
- the “community call for action” provided for by section 19 – local government is a transferred matter in Wales and the new process will be largely in the hands of ward councillors and scrutiny committees of county or county borough councils;
 - changes to the functions of Crime and Disorder Reduction Partnerships (“CDRPs”) – CDRPs are called Community Safety Partnerships (“CSPs”) in Wales and, due to local authorities being key partners, are partly transferred;
 - the expansion of parenting orders and parenting contracts – as the new powers to apply for parenting orders and enter into parenting contracts will be provided to local authorities, this is a transferred matter in Wales; and
 - the amendments to injunctive powers to tackle anti-social behaviour – as these powers will be available to social landlords and local authorities, this is also transferred.