



# Policing and Crime Act 2009

## 2009 CHAPTER 26

### PART 8

#### MISCELLANEOUS

### CHAPTER 2

#### OTHER

#### *Other*

#### **108 Strategies for crime reduction etc: probation authorities**

- (1) The [Crime and Disorder Act 1998 \(c. 37\)](#) is amended as follows.
- (2) In section 5 (authorities responsible for strategies) after subsection (1)(a) insert—
  - “(aa) every provider of probation services operating within the area in pursuance of arrangements under section 3 of the Offender Management Act 2007 which provide for it to be a responsible authority under this section;”.
- (3) In that section, in subsection (1B)(b), after “substances” insert “or of reducing re-offending”.
- (4) In section 6 (duty to formulate and implement strategy) at the end of subsection (1)(b) insert “; and
  - (c) a strategy for the reduction of re-offending in the area”.
- (5) In that section, in subsection (9)(c), after “disorder” insert “or re-offending”.
- (6) In section 17(1) (duty to consider crime and disorder implications etc) at the end insert “; and
  - (c) re-offending in its area”.

**109 Application of aspects of UK law to SOCA employees working abroad**

In paragraph 20 of Schedule 1 to the Serious Organised Crime and Police Act 2005 (c.15) (SOCA not a Crown body)—

- (a) at the beginning insert “(1) Subject to sub-paragraphs (2) to (4),”, and
- (b) at the end insert—

“(2) A member of SOCA’s staff who is acting, or purporting to act, in the course of service as a member of SOCA’s staff is to be treated, for the purposes of section 31(1) of the Criminal Justice Act 1948 (jurisdiction in respect of certain indictable offences committed in foreign countries), as a British subject employed under Her Majesty’s Government in the United Kingdom in the service of the Crown who is acting, or purporting to act, in the course of the employment.

(3) A member of SOCA’s staff, so far as performing outside the United Kingdom in the course of employment with SOCA or another person duties as a member of SOCA’s staff, is to be treated as having overseas Crown employment for the purposes of sections 26 to 28 of the Income Tax (Earnings and Pensions) Act 2003 (liability to income tax on earnings for employees who are resident but not ordinarily resident in the UK or who are not resident in the UK).

(4) A member of SOCA’s staff who is obliged to live outside the United Kingdom in order to perform duties as a member of SOCA’s staff is to be treated as being in employment under the Crown for the purposes of section 299 of the Act of 2003 (no liability to income tax for Crown employees’ foreign service allowances).”

**110 Partial exemption for SCDEA from Firearms Act 1968**

In section 54(3) of the [Firearms Act 1968 \(c. 27\)](#) (police and other persons who are exempt from certain provisions of the Act and to whom other provisions apply with modifications), at the end of paragraph (c), insert “, or

- (d) a member of the Scottish Crime and Drug Enforcement Agency”.

**111 Removal of limitation on warrants under Misuse of Drugs Act 1971**

- (1) Section 23 of the [Misuse of Drugs Act 1971 \(c. 38\)](#) (powers to search and obtain evidence) is amended as follows.
- (2) In subsection (3) omit “acting for the police area in which the premises are situated”.
- (3) Omit subsection (5).