
Changes to legislation: There are currently no known outstanding effects for the Air Traffic Management and Unmanned Aircraft Act 2021, Paragraph 12. (See end of Document for details)

SCHEDULES

SCHEDULE 8

UNMANNED AIRCRAFT: POWERS OF POLICE OFFICERS AND PRISON AUTHORITIES

PART 2

POWERS OF POLICE OFFICERS AND PRISON AUTHORITIES UNDER POLICE ACT 1997

Authorisations to interfere with property etc

- 12 (1) Section 94 of the Police Act 1997 (authorisations given in absence of authorising officer) is amended as follows.
- (2) In subsection (1)—
- (a) in paragraph (a), omit the final “or”;
 - (b) after paragraph (b) insert—
 - “(ba) in the case of an England and Wales prison authorisation, it is also not reasonably practicable for the application to be considered by the authorising officer's designated deputy;”.
- (3) In subsection (1), after paragraph (ba) insert—
 - “(bb) in the case of a Northern Ireland prison authorisation, it is also not reasonably practicable for the application to be considered by the authorising officer's designated deputy; or”.
- (4) In subsection (1), after paragraph (bb) insert—
 - “(bc) in the case of a Scottish penal institution authorisation, it is also not reasonably practicable for the application to be considered by the authorising officer's designated deputy.”
- (5) In subsection (2), after paragraph (dd) insert—
 - “(de) where the authorising officer is within paragraph (ef) of that subsection, by a person holding the rank of deputy or assistant chief constable in the Civil Nuclear Constabulary;”.
- (6) In subsection (2), after paragraph (fa) insert—
 - “(fb) in the case of an England and Wales prison authorisation, by a person—
 - (i) who is a member of the civil service (within the meaning of Chapter 1 of Part 1 of the Constitutional Reform and Governance Act 2010 — see section 1(4) of that Act),
 - (ii) whose duties are exercisable in relation to the relevant England and Wales institution, and
 - (iii) who is designated for the purposes of this paragraph by the Secretary of State;”.

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- (7) In subsection (2), after paragraph (fb) insert—
- “(fc) in the case of a Northern Ireland prison authorisation, by a person—
- (i) who is a member of the Northern Ireland Civil Service,
- (ii) whose duties are exercisable in relation to the relevant Northern Ireland institution, and
- (iii) who is designated for the purposes of this paragraph by the Department of Justice in Northern Ireland;”.
- (8) In subsection (2), after paragraph (fc) insert—
- “(fd) in the case of a Scottish penal institution authorisation, by a person—
- (i) who is a member of staff of the Scottish Administration,
- (ii) whose duties are exercisable in relation to the relevant Scottish penal institution, and
- (iii) who is designated for the purposes of this paragraph by the Scottish Ministers;”.
- (9) In subsection (4), after paragraph (b) insert—
- “(ba) in the case of an England and Wales prison authorisation, a member of senior management for prisons in England and Wales who is designated for the purposes of this paragraph by the Secretary of State;”.
- (10) In subsection (4), after paragraph (ba) insert—
- “(bb) in the case of a Northern Ireland prison authorisation, a member of senior management for prisons in Northern Ireland who is designated for the purposes of this paragraph by the Department of Justice in Northern Ireland;”.
- (11) In subsection (4), after paragraph (bb) insert—
- “(bc) in the case of a Scottish penal institution authorisation, a member of senior management for penal institutions in Scotland who is designated for the purpose of this paragraph by the Scottish Ministers.”
- (12) After subsection (4) insert—
- “(4A) In this section “England and Wales prison authorisation”, “member of senior management for prisons in England and Wales” and “relevant England and Wales institution” have the same meanings as in section 93.”
- (13) After subsection (4A) insert—
- “(4B) In this section “member of senior management for prisons in Northern Ireland”, “Northern Ireland prison authorisation” and “relevant Northern Ireland institution” have the same meanings as in section 93.”
- (14) After subsection (4B) insert—
- “(4C) In this section, “member of senior management for penal institutions in Scotland”, “Scottish penal institution authorisation” and “relevant Scottish penal institution” have the same meanings as in section 93.”

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Commencement Information

- I1** Sch. 8 para. 12 in force at 29.4.2021 for specified purposes, see s. 21(1)(a)
- I2** Sch. 8 para. 12 in force at 29.6.2021 in so far as not already in force by [S.I. 2021/748, reg. 2\(k\)](#)

Changes to legislation:

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