

SCHEDULE 20

POLICE INFORMATION TECHNOLOGY ORGANISATION

PART II

MODIFICATIONS

2.—(1) Part IV of the Police Act 1997⁽¹⁾ is amended as follows.

(2) In section 109 (Police Information Technology Organisation), after subsection (3), there is inserted—

“(3A) The Secretary of State shall obtain the consent of the Scottish Ministers before making any order by virtue subsection (3)(b) which determines any body whose functions are carried out wholly or mainly in Scotland for the purposes mentioned in that subsection.”.

(3) In section 110 (relationship between the Organisation and the Secretary of State)—

(a) after subsection (2), there is inserted—

“(2A) The Secretary of State shall obtain the consent of the Scottish Ministers before giving any direction under subsection (1) which relates wholly or mainly to the exercise of the Organisation’s activities in or as regards Scotland.”; and

(b) in subsection (3)—

(i) after “Secretary of State”, there are inserted the words “or the Scottish Ministers”;
and

(ii) after the word “he”, there are inserted the words “or they”.

(4) In paragraph 1 of Schedule 8—

(a) in sub-paragraph (1)—

(i) there are inserted at the beginning the words “Subject to sub-paragraph (2A)”;
and

(ii) after the words “Secretary of State”, there are inserted the words “or, where so provided in sub-paragraph (3) below, the Scottish Ministers”;

(b) after sub-paragraph (2), there is inserted—

“(2A) Before appointing the Chairman the Secretary of State shall consult the Scottish Ministers.”; and

(c) in sub-paragraph (3)—

(i) in head (c) and (d), for the words “Secretary of State” in each place, there are substituted the words “Scottish Ministers”;

(ii) for head (g), there is substituted—

“(g) at least three other members of whom—

(i) at least one shall be appointed by the Secretary of State;

(ii) at least one shall be appointed by the Secretary of State after consultation with the Scottish Ministers; and

(iii) at least one shall be appointed by the Scottish Ministers.”.

(5) In paragraph 2 of Schedule 8—

(1) 1997 c. 50.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) in sub-paragraph (4), there are inserted at the beginning the words “Subject to sub-paragraphs (4A) and (4B),”;
- (b) after sub-paragraph (4), there is inserted—
 - “(4A) Before removing a person from office as chairman, the Secretary of State shall consult the Scottish Ministers.
 - (4B) The Scottish Ministers shall, instead of the Secretary of State, exercise the power of removal from office as a member under sub-paragraph (4) in respect of any person who was appointed by them.”;
- (c) in sub-paragraph (5), for the words “1(3)(a) to (d)”, there are substituted the words “1(3)(a) and (b)”;
- (d) after sub-paragraph (5), there is inserted—
 - “(5) The Scottish Ministers shall not remove from office a member nominated by persons representing certain interests in accordance with paragraph 1(3)(c) and (d) unless they have first consulted persons whom they consider to represent those interests.”.
- (6) In paragraph 4(2) of Schedule 8, after “Secretary of State”, there is inserted “after consultation with the Scottish Ministers,”.
- (7) In paragraph 8(1) of Schedule 8, after “Secretary of State”, there is inserted “, after consultation with the Scottish Ministers,”.
- (8) After paragraph 13 of Schedule 8, there is inserted—
 - “**13A.**—(1) The Scottish Ministers may make payments to the Organisation in relation to the exercise by it of its functions in or as regards Scotland.
 - (2) For the purposes of section 36(3) of the Police (Scotland) Act 1967, any expenditure under sub-paragraph (1) above shall be treated as expenditure incurred under section 36(1) of the said Act of 1967.”.
- (9) In paragraph 17 of Schedule 8—
 - (a) in sub-paragraph (1), after “Secretary of State”, there is inserted “and the Scottish Ministers”; and
 - (b) after sub-paragraph (2), there is inserted—
 - “(2A) The Scottish Ministers shall lay a copy of each report before the Scottish Parliament.”.