

SCHEDULE 2

PART I

MODIFICATIONS OF ACTS OF PARLIAMENT

Police Act 1997 (c. 50)

131.—(1) The Police Act 1997 is amended as follows.

(2) In section 22 (collaboration agreements), after subsection (8) there is inserted—

“(9) The Secretary of State shall obtain the consent of the Scottish Ministers before making any determination under subsection (5) or a direction under subsection (7) if the determination or direction would have any effect on, or apply to, a police force in Scotland or a police authority which maintains a police force in Scotland or, as the case may be, the police authorities for the police area comprised in a combined area in Scotland.”.

(3) In section 23 (aid by and for NCIS), after subsection (6) there is inserted—

“(7) The Secretary of State shall obtain consent of the Scottish Ministers before giving any direction under subsection (3) to the chief constable of any police force in Scotland.”.

(4) In section 101 (code of practice), after subsection (7) there is inserted—

“(7A) The Secretary of State shall consult the Scottish Ministers before—

- (a) publishing a draft of any revised code under subsection (2) (as applied by subsection (7)); or
- (b) laying a draft of the revised code before both Houses of Parliament under subsection (3) (as applied by subsection (7)).”.

(5) The functions under sections 22(5) and (7), 23(3) and 101 are not transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act.