

2001 No. 4104 (C. 132) (S. 22)

PREVENTION AND SUPPRESSION OF TERRORISM

CRIMINAL LAW, SCOTLAND

POLICE

The Anti-terrorism, Crime and Security Act 2001
(Commencement No. 2) (Scotland) Order 2001

Made

28th December 2001

The Secretary of State and the Scottish Ministers, acting jointly, in exercise of the powers conferred upon them by section 127(4) of the Anti-terrorism Crime and Security Act 2001^(a), hereby make the following Order:

Citation and extent

1.—(1) This Order may be cited as the Anti-terrorism, Crime and Security Act 2001 (Commencement No. 2) (Scotland) Order 2001.

(2) This Order extends to Scotland only.

Commencement

2. The following provisions of the Anti-terrorism, Crime and Security Act 2001 shall come into force on 7th January 2002:—

- (a) section 98 (jurisdiction of MoD police);
- (b) section 99 (provision of assistance by MoD police);
- (c) section 100 (jurisdiction of transport police);
- (d) section 101 and Schedule 7 (further provisions about transport police and MoD police), but only insofar as they relate to entries in respect of the Police (Scotland) Act 1967^(b); and

^(a) 2001 c. 24.
^(b) 1967 c.77.

- (e) section 125 and Schedule 8 (repeals and revocation), so far as they relate to entries in Part 6 of Schedule 8 in respect of the British Transport Commission Act 1962^(a) and the Ministry of Defence Police Act 1987^(b).

Signed by the authority of the Secretary of State

John Spellar
Minister of State,
Department for Transport, Local Government and the Regions

28th December 2001

JAMES WALLACE
A member of the Scottish Executive

St Andrew's House,
Edinburgh
20th December 2001

(a) 1962 c.xlii.
(b) 1987 c.4.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 7th January 2002 in relation to Scotland provisions in Part 10 of, and Schedules 7 and 8 to, the Anti-terrorism, Crime and Security Act 2001 (“the Act”) in respect of the Ministry of Defence Police and the British Transport Police.

Section 98 extends the jurisdiction of the Ministry of Defence Police (“MDP”) so that, in certain circumstances, MDP officers may exercise police powers off defence land in order to assist officers of other specified forces in the execution of their duties. Secondly, it enables MDP officers to act off defence land in order to deal with incidents which require an urgent response. Finally, it enables MDP officers to investigate offences against and the bribery of defence personnel.

Section 99 inserts a new section 2A into the Ministry of Defence Police Act 1987 which allows the chief constable of the Ministry of Defence Police to provide assistance to specified police forces to meet special demands on their resources.

Section 100 extends the jurisdiction of the British Transport Police (“BTP”) so that, in certain circumstances, BTP officers may assist other specified forces in the execution of their duties. It also allows BTP officers to deal with certain incidents which require an urgent response.

Section 101 and Schedule 7 make amendments to various statutes in respect of both the British Transport Police and the Ministry of Defence Police. The amendments to the Police (Scotland) Act 1967 (which incorporate references to the British Transport Police into that Act) are brought into force by this Order.

Section 125 and Part 6 of Schedule 8 repeal certain provisions in respect of police powers. This Order brings in to force the repeal of a provision in the British Transport Commission Act 1962 and provisions in the Ministry of Defence Police Act 1987, which are consequential on the commencement of the provisions described above.

The Act received Royal Assent on 14th December 2001. The above provisions came into force on Royal Assent except in relation to Scotland. This Order brings the provisions in to force in Scotland to the extent that they have not already been commenced.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act have been brought into force by commencement order made before the date of this Order:—

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Section 1, together with Schedule 1, section 2, section 3 together with Schedule 2, and Part I of Schedule 8.	20th December 2001	2001/4019 (C.128)

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