

## SCHEDULES

### SCHEDULE 3

#### Amendments relating to policing

##### *Police (Northern Ireland) Act 2000*

**75.**—(1) Amend section 60(1) (inquiry by Policing Board following report by Chief Constable) as follows.

(2) In subsection (2)—

- (a) in paragraph (a) for “Secretary of State” substitute “Minister of Justice”;
- (b) in paragraph (b) for “Secretary of State” substitute “Minister of Justice”.

(3) After subsection (2) insert—

“(2A) Where it appears to the Board that an inquiry under this section may relate wholly or in part to—

- (a) a matter in respect of which a function is conferred or imposed on the Secretary of State by or under a statutory provision, or
- (b) an excepted matter or reserved matter (within the meaning given by section 4 of the Northern Ireland Act 1998),

the Board shall immediately inform the Secretary of State of the decision to cause the inquiry to be held and of any matter into which inquiry is to be made, and shall send a copy of the relevant report under section 59 to the Secretary of State.”

(4) In subsections (3) and (5) for “any of the grounds mentioned in section 76A(2)” substitute “the ground mentioned in section 76A(2)(a)”.

(5) After subsection (5) insert—

“(5A) The Chief Constable may refer to the Minister of Justice the decision of the Board to cause an inquiry to be held under this section if it appears to the Chief Constable that such an inquiry ought not to be held on any of the grounds mentioned in section 76A(2)(b) or (c).

(5B) The Minister of Justice may within the period of 30 days from the date of referral of the decision of the Board by the Chief Constable, or within such longer period as may be agreed between the Board and the Minister of Justice, overrule the decision of the Board.

(5C) The Minister of Justice may overrule the Board only if, in the opinion of the Minister of Justice, the inquiry ought not to be held on any of the grounds mentioned in section 76A(2)(b) or (c).”

(6) In subsection (7) for “Secretary of State” substitute “Minister of Justice”.

(7) In subsection (8)(a) after “General” insert “for Northern Ireland”.

(8) In subsection (9) for “Secretary of State” substitute “Minister of Justice”.

(9) For subsections (10A) and (10B) substitute—

---

(1) Section 60 was amended by section 11 of the Police (Northern Ireland) Act 2003. Other amendments to section 60 are not relevant.

**Changes to legislation:** *There are currently no known outstanding effects for the The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010, Paragraph 75. (See end of Document for details)*

“(10A) Subsection (10B) applies if the Chief Constable supplies to a person conducting an inquiry under this section any information which, in the opinion of the Chief Constable, is information which ought not to be disclosed on the ground mentioned in section 76A(1)(a).

(10B) The Chief Constable must—

- (a) inform the Secretary of State and the Board that the information has been supplied to the person conducting the inquiry; and
- (b) inform the Secretary of State, the Board and the person conducting the inquiry that, in his opinion, the information is information which ought not to be disclosed on the ground mentioned in section 76A(1)(a).

(10C) Subsection (10D) applies if the Chief Constable supplies to a person conducting an inquiry under this section any information which, in the opinion of the Chief Constable, is—

- (a) information the disclosure of which would be likely to put an individual in danger, or
- (b) information which ought not to be disclosed on any of the grounds mentioned in section 76A(1)(b) or (c).

(10D) The Chief Constable must—

- (a) inform the Minister of Justice and the Board that the information has been supplied to the person conducting the inquiry; and
- (b) inform the Minister of Justice, the Board and the person conducting the inquiry that, in his opinion, the information is information of a kind mentioned in paragraph (a) or (b) of subsection (10C).”

(10) In subsection (16) for paragraph (c) and the “and” before it substitute—

- “(c) the Minister of Justice; and
- (d) the Secretary of State, but only if the decision to cause the inquiry to be held was notified to the Secretary of State under subsection (2A) or if subsection (10A) applied in relation to the inquiry.”

---

**Commencement Information**

**II** Sch. 3 para. 75 in force at 12.4.2010, see [art. 1\(2\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010, Paragraph 75.