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## STATUTORY INSTRUMENTS

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### 2012 No. 62

## The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012

### PART 3

#### Investigation of Serious Complaints and Conduct Matters

##### **Restrictions on proceedings pending the conclusion of an investigation**

**23.** Paragraph 20 of Schedule 3 to the 2002 Act shall apply in relation to a matter which is the subject of an investigation under this Part, modified so that it has effect as follows—

##### **“Restrictions on proceedings pending the conclusion of an investigation**

**20.**—(1) No criminal proceedings shall be brought in relation to any matter which is the subject of an investigation in accordance with the provisions of Part 3 of the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2011 (“the 2011 Regulations”) until a report on that investigation has been submitted to the Commission under regulation 25 (final reports on investigations).

(2) Nothing in this paragraph shall prevent the bringing of criminal proceedings in respect of any conduct at any time after the discontinuance, in accordance with the provisions of Part 3 of the 2011 Regulations, of the investigation which relates to that conduct.

(3) The restrictions imposed by this paragraph in relation to the bringing of criminal proceedings shall not apply to the bringing of criminal proceedings by the Director of Public Prosecutions in any case in which it appears to him that there are exceptional circumstances which make it undesirable to delay the bringing of such proceedings.”

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##### **Commencement Information**

**11** Reg. 23 in force at 16.1.2012, see [reg. 1](#)

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Regulations applied (with modifications) by [S.I. 2017/863 art. 28Sch. 1](#)
- Regulations applied (with modifications) by [S.I. 2021/112 art. 35\(1\)\(2\)Sch. 5 para. 52](#)
- Regulations words substituted by [S.I. 2017/1250 reg. 21\(2\)\(a\)](#)
- Regulations words substituted by [S.I. 2017/1250 reg. 21\(2\)\(b\)](#)
- Regulations words substituted by [S.I. 2017/1250 reg. 21\(2\)\(c\)](#)
- Regulations words substituted by [S.I. 2017/1250 reg. 21\(2\)\(d\)](#)
- reg. 23 words inserted by [S.I. 2017/1250 reg. 21\(11\)](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 3(4A) inserted by [S.I. 2017/1250 reg. 21\(5\)\(a\)](#)
- reg. 3A3B inserted by [S.I. 2017/1250 reg. 21\(6\)](#)
- reg. 20(2)(2A) substituted for reg. 20(2) by [S.I. 2017/1250 reg. 21\(10\)\(b\)](#)