

SCHEDULE 2

Exercise of functions by constables and members of non-territorial police organisations

Application of 2016 Act to Civil Nuclear Constabulary

3. After section 56 of the Energy Act 2004⁽¹⁾ insert—

“56A Exercise of powers and privileges in Scotland

(1) Where a member of the Constabulary exercises in Scotland any power or privilege of a constable, Parts 1 and 2 of the Criminal Justice (Scotland) Act 2016 (in this section “the 2016 Act”) apply in relation to the exercise as though the power or privilege were exercised by a constable of the Police Service of Scotland.

(2) For the purposes of subsection (1)—

- (a) in section 64 of the 2016 Act (police custody), references to a person arrested by a constable are to be read as including a person arrested by a member of the Constabulary,
- (b) section 69 of the 2016 Act (publication of information by police) does not apply.”

(1) 2004 c.20.