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STATUTORY INSTRUMENTS

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**2020 No. 2**

**The Police (Complaints and Misconduct) Regulations 2020**

**PART 5**

**General**

**Complaints and conduct matters relating to the conduct of a person who has ceased to be a person serving with the police**

**42.**—(1) Where a complaint or conduct matter relates to the conduct of a person who has ceased to be a person serving with the police since the time of the conduct and on or after 15th December 2017, the provisions of Part 2 of the 2002 Act and these Regulations apply—

- (a) as if the person were still serving in the position in which the person last served, and
- (b) with the modifications to Part 2 of the 2002 Act and to these Regulations set out in Schedule 2 to these Regulations.

(2) Where a complaint or conduct matter relates to the conduct of a person who has ceased to be a person serving with the police since the time of the conduct and before 15th December 2017, the provisions of Part 2 of the 2002 Act apply in relation to such a person as if they did not include any requirement to determine whether disciplinary proceedings or performance proceedings should be brought against a person whose conduct is the subject-matter of a report.

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**Commencement Information**

**II** Reg. 42 in force at 1.2.2020, see [reg. 1\(1\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Police (Complaints and Misconduct) Regulations 2020, Section 42.