



Policing and Crime Act 2017

2017 CHAPTER 3

PART 9

MISCELLANEOUS AND GENERAL

CHAPTER 2

GENERAL

180 Consequential amendments, repeals and revocations

- (1) The Secretary of State may by regulations made by statutory instrument make such provision as the Secretary of State considers appropriate in consequence of this Act other than Part 8.
- (2) The Treasury may by regulations made by statutory instrument make such provision as the Treasury considers appropriate in consequence of Part 8.
- (3) Regulations under subsection (1) or (2)—
 - (a) may include transitional, transitory or saving provision;
 - (b) may repeal, revoke or otherwise amend any provision of primary or subordinate legislation (including legislation passed or made in the same Session as this Act).
- (4) A statutory instrument containing (whether alone or with other provision) regulations under this section that repeal, revoke or otherwise amend any provision of primary legislation is not to be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (5) A statutory instrument containing regulations under this section that do not repeal, revoke or otherwise amend any provision of primary legislation is subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) In this section—

Status: Point in time view as at 31/01/2017.

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“primary legislation” means—

- (a) an Act;
- (b) an Act of the Scottish Parliament;
- (c) a Measure or Act of the National Assembly for Wales;
- (d) Northern Ireland legislation;

“subordinate legislation” means—

- (a) subordinate legislation within the meaning of the Interpretation Act 1978;
- (b) an instrument made under an Act of the Scottish Parliament;
- (c) an instrument made under a Measure or Act of the National Assembly for Wales;
- (d) an instrument made under Northern Ireland legislation.

181 Financial provision

The following are to be paid out of money provided by Parliament—

- (a) any expenditure incurred under or by virtue of this Act by the Secretary of State;
- (b) any increase attributable to this Act in the sums payable under any other Act out of money so provided.

182 Extent

- (1) Except as provided by subsections (2) to (6), this Act extends only to England and Wales.
- (2) The following provisions extend to England and Wales, Scotland and Northern Ireland—
 - (a) section 6, so far as relating to paragraphs 81, 95 and 96 of Schedule 1, and those paragraphs;
 - (b) section 8(11);
 - (c) section 9(3), so far as relating to paragraphs 108 and 121 of Schedule 2, and those paragraphs;
 - (d) section 16, so far as relating to paragraphs 22 and 47(h)(i) of Schedule 5, and those paragraphs;
 - (e) section 21(2) and (3);
 - (f) section 29(8), so far as relating to paragraphs 1 to 5 of Schedule 7, and those paragraphs;
 - (g) section 33(9), so far as relating to paragraphs 56(10), 59, 60, 61, 63, 64, 66, 68, 69 and 74 of Schedule 9, and those paragraphs;
 - (h) section 35;
 - (i) section 37(6);
 - (j) section 45, so far as relating to paragraphs 6, 13 and 14 of Schedule 12, and those paragraphs;
 - (k) section 46(10), so far as relating to paragraph 2 of Schedule 13, and that paragraph;
 - (l) section 47, so far as relating to the inserted sections 50A(3) to (7) and 50B of the Police Act 1996;
 - (m) section 50;

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- (n) section 71;
 - (o) section 76(3);
 - (p) sections 116 to 119 and Schedules 15, 16 and 17;
 - (q) sections 143 to 149 and 151 to 156;
 - (r) section 157(5) and Schedule 19;
 - (s) section 158;
 - (t) sections 160 and 161;
 - (u) section 163;
 - (v) this Chapter.
- (3) The following provisions extend to England and Wales and Scotland (but not to Northern Ireland)—
- (a) section 6, so far as relating to paragraphs 11, 14, 20 to 22, 33, 35, 52, 55, 59 to 66, 72 to 75, 80 and 85 of Schedule 1, and those paragraphs;
 - (b) section 7(8);
 - (c) section 8(5) and (8);
 - (d) section 9(3), so far as relating to paragraphs 30, 31, 33, 34, 48, 50, 74, 77, 80, 84 to 91, 99, 106 and 116 of Schedule 2, and those paragraphs;
 - (e) section 29(8), so far as relating to paragraphs 6 to 14 of Schedule 7, and those paragraphs;
 - (f) section 33(9), so far as relating to paragraphs 62 and 72 of Schedule 9, and those paragraphs;
 - (g) section 39;
 - (h) section 45, so far as relating to paragraphs 8, 12 and 17 of Schedule 12, and those paragraphs;
 - (i) section 46(10), so far as relating to paragraphs 4 and 6 of Schedule 13, and those paragraphs;
 - (j) section 49;
 - (k) section 51, so far as relating to paragraphs (a), (b) and (d) of paragraph 7 of Schedule 14, and those paragraphs;
 - (l) sections 84(2) to (5), 86 to 92 and 95;
 - (m) sections 96(2) to (7), 98 to 104 and 106;
 - (n) section 123;
 - (o) sections 125 to 133.
- (4) The following provisions extend to England and Wales and Northern Ireland (but not to Scotland)—
- (a) section 51, so far as relating to paragraphs 2(2), 3(2) and (3)(d) and 5(b) and (c) of Schedule 14, and those paragraphs;
 - (b) sections 68 and 69;
 - (c) section 159.
- (5) The following provisions extend to Scotland only—
- (a) section 46(2) to (9);
 - (b) sections 96(1) and (8), 97 and 105;
 - (c) section 179.
- (6) The following provisions extend to Northern Ireland only—
- (a) Chapter 7 of Part 4;

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- (b) sections 168(1) and (2) and 169 to 172;
- (c) section 174.

(7) The power under section 60(4) of the UK Borders Act 2007 may be exercised so as to extend to any of the Channel Islands or the Isle of Man any amendment made by or under this Act of any part of that Act (with or without modification).

183 Commencement

- (1) Except as provided by subsections (2) to (6), this Act comes into force on such day as the Secretary of State may by regulations made by statutory instrument appoint.
- (2) Chapter 7 of Part 4 comes into force on such day as the Department of Justice in Northern Ireland appoints by order.
- (3) Part 8 comes into force on such day as the Treasury may by regulations made by statutory instrument appoint.
- (4) Sections 168 to 170 and 172 come into force on such day as the Department of Justice in Northern Ireland appoints by order.
- (5) The following provisions come into force on the day on which this Act is passed—
 - (a) section 124;
 - (b) sections 164, 165 and 167;
 - (c) section 179;
 - (d) this Chapter;
 - (e) any other provision of this Act so far as is necessary for enabling the exercise on or after the day on which this Act is passed of any power to make provision by subordinate legislation (within the meaning of the Interpretation Act 1978) or to issue codes of practice or guidance.
- (6) The following provisions come into force at the end of the period of 2 months beginning with the day on which this Act is passed—
 - (a) section 76;
 - (b) section 157 and Schedule 19;
 - (c) section 158;
 - (d) sections 173 and 174;
 - (e) section 176.
- (7) Regulations under subsection (1) or (3), or an order under subsection (2) or (4), may appoint different days for different purposes.
- (8) Before making regulations appointing a day for the coming into force of any provision of sections 96 to 106 the Secretary of State must consult the Scottish Ministers.
- (9) The Secretary of State may by regulations made by statutory instrument make such transitional, transitory or saving provision as the Secretary of State considers appropriate in connection with the coming into force of any provision of this Act other than Chapter 7 of Part 4, Part 8 or sections 168 to 172.
- (10) The Department of Justice in Northern Ireland may by order make such transitional, transitory or saving provision as it considers appropriate in connection with the coming into force of any provision of Chapter 7 of Part 4.

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- (11) The Treasury may by regulations made by statutory instrument make such transitional, transitory or saving provision as the Treasury considers appropriate in connection with the coming into force of any provision of Part 8 .
- (12) The Department of Justice in Northern Ireland may by order make such transitional, transitory or saving provision as the Department of Justice in Northern Ireland considers appropriate in connection with the coming into force of sections 168, 169, 170 and 172.
- (13) The power to make regulations under subsection (9) or (11), or an order under subsection (10) or (12), includes power to make different provision for different purposes.
- (14) The powers conferred on the Department of Justice in Northern Ireland by subsections (2), (4), (10) and (12) are exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)).

184 Short title

This Act may be cited as the Policing and Crime Act 2017.

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