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SCOTTISH STATUTORY INSTRUMENTS

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**2005 No. 361**

**The Criminal Justice (Scotland) Act 2003 (Amendment  
of Police (Scotland) Act 1967) Order 2005**

**Additional Deputy Chief Constables**

2. After section 5 of the Police (Scotland) Act 1967(1) insert—

**“Deputy chief constables – supplementary**

**5ZA.**—(1) A person who held the rank of deputy chief constable in a police force before a period of appointment under section 33 of this Act, and who returns to that force at the end of the period in question is entitled to return as a deputy chief constable of that force.

(2) If by virtue of subsection (1) above or section 38A(3)(a)(2) of this Act there is more than one person in a police force who holds the rank of deputy chief constable, one of the persons who holds it shall be designated as the officer having the powers and duties conferred on a deputy chief constable by section 5A(1) of this Act.

(3) A person shall be designated under subsection (2) above by the police authority after consultation with the chief constable and subject to the approval of the Scottish Ministers.”.

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(1) 1967 c. 77. Sections 5 and 5A were substituted by section 75 of the Criminal Justice (Scotland) Act 2003.  
(2) Section 38A(3)(a) was inserted by the Police and Magistrates Courts Act 1994 (c. 29), section 60.