

*Status: Point in time view as at 26/05/2016.*

*Changes to legislation: There are currently no known outstanding effects for the Police Reform Act 2002, Part 1. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 4

#### POWERS EXERCISABLE BY POLICE CIVILIANS

##### **Modifications etc. (not altering text)**

- C1** Sch. 4 applied (with modifications) (1.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), **ss. 28(1)(g)(2)**, 120 (with s. 72); S.I. 2004/1572, **art. 3(k)**

#### **PART 1**

##### COMMUNITY SUPPORT OFFICERS

###### *Powers to issue fixed penalty notices*

- 1 (1) Where a designation applies this paragraph to any person, that person shall have the powers specified in sub-paragraph (2) in relation to any individual who he has reason to believe has committed a relevant fixed penalty offence at a place within the relevant police area.
- (2) Those powers are the following powers so far as exercisable in respect of a relevant fixed penalty offence—
- (a) the powers of a constable<sup>F1</sup> ... to give a penalty notice under Chapter 1 of Part 1 of the Criminal Justice and Police Act 2001 (c. 16) (fixed penalty notices in respect of offences of disorder);
  - [<sup>F2</sup>(aa) the power of a constable to give a penalty notice under section 444A of the Education Act 1996 (penalty notice in respect of failure to secure regular attendance at school of registered pupil);]
  - [<sup>F3</sup>(ab) the power of a constable to give a penalty notice under section 105 of the Education and Inspections Act 2006 (penalty notice in respect of presence of excluded pupil in public place);]
  - [<sup>F4</sup>(ac) the power of a constable to issue a fixed penalty notice under section 52 of the Anti-social Behaviour, Crime and Policing Act 2014 (fixed penalty notice in respect of failure to comply with community protection notice);]
  - (b) the power of a constable in uniform to give a person a fixed penalty notice under section 54 of the Road Traffic Offenders Act 1988 (c. 53) (fixed penalty notices) in respect of an offence [<sup>F5</sup>listed in sub-paragraph (2B)] under section 72 of the Highway Act 1835 (c. 50) (riding on a footway) committed by cycling;
  - (c) <sup>F6</sup> .....
  - [<sup>F7</sup>(ca) the power of an authorised officer of a local authority to give a notice under section 43(1) of the Anti-social Behaviour Act 2003 (penalty notices in respect of graffiti or fly-posting); <sup>F8</sup> ...]

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- [<sup>F9</sup>(cb) the power of an authorised officer of a borough council to give a notice under section 15 of the London Local Authorities Act 2004 in respect of an offence under section 38(1) of the London Local Authorities Act 1990 or section 27(1) of the City of Westminster Act 1999 (unlicensed street trading);]
- (d) the power of an authorised officer of a litter authority to give a notice under section 88 of the Environmental Protection Act 1990 (c. 43) (fixed penalty notices in respect of litter) and
- <sup>F10</sup>(e) .....
- [<sup>F11</sup>(f) the power of a constable to issue a fixed penalty notice under section 68 of the Anti-social Behaviour, Crime and Policing Act 2014 (fixed penalty notice in respect of failure to comply with public spaces protection order).]
- [<sup>F12</sup>(2A) The reference to the powers mentioned in sub-paragraph (2)(a) does not include those powers so far as they relate to an offence under the provisions in the following list—  
 section 1 of the Theft Act 1968,  
 section 87 of the Environmental Protection Act 1990.]
- [<sup>F13</sup>(2B) The offences referred to in sub-paragraph (2)(b) are—
- (a) an offence under section 72 of the Highway Act 1835 (riding on a footway) committed by cycling;
  - (b) an offence under section 5(1) or 8(1) of the Road Traffic Regulation Act 1984 involving a contravention of a prohibition or restriction that relates to—
    - (i) stopping, waiting or parking at or near a school entrance,
    - (ii) one-way traffic on a road, or
    - (iii) lanes or routes for use only by cycles, only by buses or only by cycles and buses;
  - (c) an offence under section 24 of the Road Traffic Act 1988 (more than one person on a one-person bicycle);
  - (d) an offence under section 35 of that Act (failing to comply with traffic directions) committed by the rider of a cycle;
  - (e) an offence under section 36 of that Act (failing to comply with traffic signs) committed by the rider of a cycle who fails to comply with the indication given by a red traffic light;
  - (f) an offence under section 42 of that Act of contravening or failing to comply with a construction or use requirement about—
    - (i) lighting equipment or reflectors for cycles,
    - (ii) the use on a road of a motor vehicle in a way that causes excessive noise,
    - (iii) stopping the action of a stationary vehicle’s machinery,
    - (iv) the use of a vehicle’s horn on a road while the vehicle is stationary or on a restricted road at night, or
    - (v) opening a vehicle’s door on a road so as to injure or endanger a person;
  - (g) an offence under section 163 of that Act (failing to stop vehicle or cycle when required to do so by constable or traffic officer).]
- [<sup>F14</sup>(2C) Before a chief officer of police makes a designation applying this paragraph to any person and specifying or describing an offence listed in sub-paragraph (2B)(b)(i),

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the officer shall consult every local authority any part of whose area lies within the officer’s police area.]

(3) In this paragraph “relevant fixed penalty offence”, in relation to a designated person, means an offence which—

- (a) is an offence by reference to which a notice may be given to a person in exercise of any of the powers mentioned in [F15]sub-paragraph (2)(a) to (e)] ; and
- (b) is specified or described in [F16]a designation by which this paragraph is applied to the designated person as an offence which the designated person] has been designated to enforce under this paragraph.

[F14(2D) In paragraph (2C) “local authority” means—

- (a) in relation to England, a district council, a London borough council, the Common Council of the City of London or the Council of the Isles of Scilly; and
- (b) in relation to Wales, a county council or a county borough council.]

[F17(3A) For the purposes of paragraph (e) of section 64A(1B) of the Police and Criminal Evidence Act 1984 (photographing of suspects in relation to fixed penalty offences) “relevant fixed penalty offence”, in relation to a designated person, includes an offence under a relevant byelaw within the meaning of paragraph 1ZA(4) (and, accordingly, the reference in that paragraph (e) to paragraph 1 of this Schedule includes a reference to paragraph 1ZA of this Schedule).]

[F18(4) In its application to an offence which is an offence by reference to which a notice may be given to a person in exercise of the power mentioned in sub-paragraph (2) (aa) [F19]or (ab)], sub-paragraph (1) shall have effect as if for the words from “who he has reason to believe” to the end there were substituted “in the relevant police area who he has reason to believe has committed a relevant fixed penalty offence”.]

[F20(5) In this paragraph “cycle” has the same meaning as in the Road Traffic Act 1988 (see section 192(1) of that Act).]

#### Textual Amendments

- F1** Words in Sch. 4 para. 1(2)(a) omitted (8.4.2013) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 23 para. 14\(3\)](#); S.I. 2013/453, art. 4(e)
- F2** Sch. 4 para. 1(2)(aa) inserted (27.2.2004) by [Anti-social Behaviour Act 2003 \(c. 38\)](#), [ss. 23\(3\)](#), 93; S.I. 2003/3300, [art. 3\(a\)\(ii\)](#)
- F3** Sch. 4 para. 1(2)(ab) inserted (1.9.2007) by [Education and Inspections Act 2006 \(c. 40\)](#), [ss. 107\(2\)](#), 188; S.I. 2007/1801, [art. 4\(h\)](#)
- F4** Sch. 4 para. 1(2)(ac) inserted (20.10.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), [ss. 53\(6\)](#), 185(1) (with [ss. 21](#), 33, 42, 58, 75, 93); S.I. 2014/2590, art. 3(c)
- F5** Words in Sch. 4 para. 1(2)(b) substituted (13.5.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), [Sch. 10 para. 2\(1\)](#) (with [ss. 21](#), 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 22
- F6** Sch. 4 para. 1(2)(c) repealed (6.4.2006 for E. and 15.3.2007 for W.) by [Clean Neighbourhoods and Environment Act 2005 \(c. 16\)](#), [ss. 107](#), 108, [Sch. 5 Pt. 5](#); S.I. 2006/795, [art. 2\(3\)](#), Sch. 2 (with [art. 4\(3\)\(b\)](#)); S.I. 2006/2797, [art. 5\(g\)](#) (with [art. 10\(3\)\(b\)](#)) (as amended (30.1.2007) by S.I. 2007/120, art. 3); S.I. 2007/702
- F7** Sch. 4 para. 1(2)(ca) inserted (31.3.2004) by [Anti-social Behaviour Act 2003 \(c. 38\)](#), [ss. 46\(1\)\(b\)](#), 93; S.I. 2004/690, [art. 2\(a\)\(i\)](#)

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- F8** Word in Sch. 4 para. 1(2)(ca) repealed (13.5.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), **Sch. 11 para. 102** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 23(k)(ii)
- F9** Sch. 4 para. 1(2)(cb) inserted (13.5.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), **Sch. 10 para. 2(2)** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 22
- F10** Sch. 4 para. 1(2)(e) omitted (20.10.2014) by virtue of [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), **Sch. 11 para. 32** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/2590, art. 3(g)(vi) (as amended (20.10.2014) by S.I. 2014/2754, arts. 1, 3(a))
- F11** Sch. 4 para. 1(2)(f) inserted (20.10.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), ss. 69(2), 185(1) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/2590, art. 3(c)
- F12** Sch. 4 para. 1(2A) inserted (1.7.2005 for certain purposes and 1.8.2005 otherwise) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 122(3)(a), 178; S.I. 2005/1521, **art. 3(1)(h)**; S.I. 2005/2026, **art. 2(d)**
- F13** Sch. 4 para. 1(2B) inserted (13.5.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), **Sch. 10 para. 2(3)** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 22
- F14** Sch. 4 para. 1(2C)(2D) inserted (13.5.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), **Sch. 10 para. 3** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 22
- F15** Words in Sch. 4 para. 1(3)(a) substituted (27.1.2010) for the words "sub-paragraph 1(2)(a) to (d)" by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), ss. 135, 245, **Sch. 6 para. 4(1)**; S.I. 2010/112, **art. 2(g)**
- F16** Words in Sch. 4 para. 1(3)(b) substituted (1.12.2007) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 9, 53, **Sch. 5 para. 5(2)(b)**; S.I. 2007/3203, **art. 2(c)**
- F17** Sch. 4 para. 1(3A) inserted (27.1.2010) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), ss. 133(2)(a), 245; S.I. 2010/112, **art. 2(e)**
- F18** Sch. 4 para. 1(4) inserted (27.2.2004) by [Anti-social Behaviour Act 2003 \(c. 38\)](#), ss. 23(4), 93; S.I. 2003/3300, **art. 3(a)(ii)**
- F19** Words in Sch. 4 para. 1(4) inserted (1.9.2007) by [Education and Inspections Act 2006 \(c. 40\)](#), ss. 107(3), 188; S.I. 2007/1801, **art. 4(h)**
- F20** Sch. 4 para. 1(5) inserted (13.5.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), **Sch. 10 para. 2(4)** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 22

#### Modifications etc. (not altering text)

- C1** Sch. 4 para. 1 applied in part (1.12.2007) by [The Police Reform Act 2002 \(Standard Powers and Duties of Community Support Officers\) Order 2007 \(S.I. 2007/3202\)](#), art. 2, **Sch.**
- C2** Sch. 4 para. 1(2)(a) modified (1.11.2004) by [The Criminal Justice and Police Act 2001 \(Amendment\) and Police Reform Act 2002 \(Modification\) Order 2004 \(S.I. 2004/2540\)](#), arts. 1(4), 4

#### Commencement Information

- I1** Sch. 4 para. 1 wholly in force at 15.11.2003; Sch. 4 para. 1 not in force at Royal Assent, see s. 108(2); Sch. 4 para. 1 (except sub-paragraph 1(2)(a)) in force at 2.12.2002 by S.I. 2002/2750, **art. 2(a)(ii)(a)**; Sch. 4 para. 1(2)(a) in force at 15.11.2003 by S.I. 2003/2593, **art. 2(d)**

[<sup>F21</sup>1Z(1)] This paragraph applies if a designation applies it to any person.

- (2) Such a designation may specify that, in relation to that person, the application of sub-paragraph (3) is confined to one or more only (and not all) relevant byelaws, being in each case specified in the designation.
- (3) Where that person has reason to believe that an individual has committed an offence against a relevant byelaw at a place within the relevant police area, he may exercise the power of an authorised officer of an authority to give a notice under section 237A of the Local Government Act 1972 [<sup>F22</sup> or under section 12 of the Local Government

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Byelaws (Wales) Act 2012] (fixed penalty notices in relation to offences against certain byelaws).

- (4) In this paragraph “relevant byelaw”, in relation to a designated person, means a byelaw which—
- (a) falls within sub-paragraph (5); and
  - (b) is specified or described in that person's designation as a byelaw he has been designated to enforce under this paragraph.
- (5) A byelaw falls within this sub-paragraph if—
- (a) it is a byelaw to which section 237A of the Local Government Act 1972 [<sup>F23</sup>or to which section 12 of the Local Government Byelaws (Wales) Act 2012 applies] applies (fixed penalty notices in relation to offences against certain byelaws); and
  - (b) the chief officer of the police force for the relevant police area and the authority who made the byelaw have agreed to include it in a list of byelaws for the purposes of this sub-paragraph.
- (6) A list under sub-paragraph (5)(b) must be published by the chief officer in such a way as to bring it to the attention of members of the public in localities where the byelaws in the list apply.
- (7) The list may be amended from time to time by agreement between the chief officer and the authority, by adding byelaws to it or removing byelaws from it, and the amended list shall also be published by the chief officer as mentioned in sub-paragraph (6).]

#### Textual Amendments

- F21** Sch. 4 para. 1ZA inserted (27.1.2010) by Local Government and Public Involvement in Health Act 2007 (c. 28), ss. 133(2)(b), 245; S.I. 2010/112, art. 2(e)
- F22** Words in Sch. 4 para. 1ZA(3) inserted (31.3.2015) by Local Government Byelaws (Wales) Act 2012 (anaw 2), ss. 17(2)(a), 22(2); S.I. 2015/1025, art. 2(o)
- F23** Words in Sch. 4 para. 1ZA(5)(a) inserted (31.3.2015) by Local Government Byelaws (Wales) Act 2012 (anaw 2), ss. 17(2)(b), 22(2); S.I. 2015/1025, art. 2(o)

#### Power to issue community protection notices

- [<sup>F24</sup>1ZB A person shall have the power of a constable to issue a community protection notice under section 43 of the Anti-social Behaviour, Crime and Policing Act 2014 if—
- (a) a designation applies this paragraph to that person, and
  - (b) the conduct specified in the notice has (according to the notice) been taking place within the relevant police area.]

#### Textual Amendments

- F24** Sch. 4 para. 1ZB and cross-heading inserted (20.10.2014) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), ss. 53(5), 185(1) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/2590, art. 3(c)

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*Power to require name and address*

- [<sup>F25</sup>1A (1) This paragraph applies if a designation applies it to any person.
- (2) [<sup>F26</sup>A designation by which this paragraph is applied to a person may specify that the application of sub-paragraph (3) by that designation to that person] is confined to one or more only (and not to all) relevant offences or relevant licensing offences, being in each case specified in the designation.
- (3) Subject to sub-paragraph (4), where that person has reason to believe that another person has committed a relevant offence in the relevant police area, or a relevant licensing offence (whether or not in the relevant police area), he may require that other person to give him his name and address.
- (4) The power to impose a requirement under sub-paragraph (3) in relation to an offence under a relevant byelaw is exercisable only in a place to which the byelaw relates.
- (5) A person who fails to comply with a requirement under sub-paragraph (3) is guilty of an offence and shall be liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.
- (6) In its application to an offence which is an offence by reference to which a notice may be given to a person in exercise of the power mentioned in paragraph 1(2)(aa), sub-paragraph (3) of this paragraph shall have effect as if for the words “has committed a relevant offence in the relevant police area” there were substituted in the relevant police area has committed a relevant offence.
- (7) In this paragraph, “relevant offence”, “relevant licensing offence” and “relevant byelaw” have the meaning given in paragraph 2 (reading accordingly the references to “this paragraph” in paragraph 2(6)).]

**Textual Amendments**

- F25** Sch. 4 para. 1A inserted (1.7.2005 for certain purposes and 1.1.2006 otherwise) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 122, 178, [Sch. 8 para. 2](#); S.I. 2005/1521, [art. 3\(1\)\(h\)\(i\)](#); S.I. 2005/3495, [art. 2\(1\)\(q\)\(r\)](#)
- F26** Words in Sch. 4 para. 1A(2) substituted (1.12.2007) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 9, 53, [Sch. 5 para. 5\(3\)](#); S.I. 2007/3203, [art. 2\(c\)](#)

**Modifications etc. (not altering text)**

- C3** Sch. 4 para. 1A modified (28.2.2013) by [Canterbury City Council Act 2013 \(c. i\)](#), [s. 13\(2\)\(a\)](#) (with s. 3)
- C4** Sch. 4 para. 1A applied (1.12.2007) by [The Police Reform Act 2002 \(Standard Powers and Duties of Community Support Officers\) Order 2007 \(S.I. 2007/3202\)](#), [art. 2](#), [Sch.](#)

*Power to detain etc.*

- 2 (1) This paragraph applies if a designation applies it to any person.
- [<sup>F27</sup>(2) A designation may not apply this paragraph to any person unless a designation also applies paragraph 1A to him.]
- (3) Where, in a case in which a requirement under [<sup>F28</sup>paragraph 1A(3)] has been imposed on another person—
- (a) that other person fails to comply with the requirement, or

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- (b) the person who imposed the requirement has reasonable grounds for suspecting that the other person has given him a name or address that is false or inaccurate,

the person who imposed the requirement may require the other person to wait with him, for a period not exceeding thirty minutes, for the arrival of a constable.<sup>[F29]</sup> This sub-paragraph does not apply if the requirement was imposed in connection with a relevant licensing offence mentioned in paragraph (a), (c) or (f) of sub-paragraph (6A) believed to have been committed on licensed premises (within the meaning of the Licensing Act 2003).]

<sup>[F30]</sup>(3A) Where—

- (a) a designation applies this paragraph to any person (“the CSO”); and
- (b) by virtue of a designation <sup>[F31]</sup>applying paragraph 1A to the CSO,] the CSO has the power to impose a requirement under sub-paragraph (3) of that paragraph in relation to an offence under a relevant byelaw,

the CSO shall also have any power a constable has under the relevant byelaw to remove a person from a place.

- (3B) Where a person to whom this paragraph applies (“the CSO”) has reason to believe that another person is committing an offence under section 3 or 4 of the Vagrancy Act 1824, and requires him to stop doing whatever gives rise to that belief, the CSO may, if the other person fails to stop as required, require him to wait with the CSO, for a period not exceeding thirty minutes, for the arrival of a constable.]

- (4) A person who has been required under sub-paragraph (3) <sup>[F32]</sup>or (3B)] to wait with a person to whom <sup>[F33]</sup>this paragraph is applied] may, if requested to do so, elect that (instead of waiting) he will accompany the person imposing the requirement to a police station in the relevant police area.

<sup>[F34]</sup>(4A) If a person has imposed a requirement under sub-paragraph (3) or (3B) on another person (“P”), and P does not make an election under sub-paragraph (4), the person imposing the requirement shall, if a constable arrives within the thirty-minute period, be under a duty to remain with the constable and P until he has transferred control of P to the constable.

- (4B) If, following an election under sub-paragraph (4), the person imposing the requirement under sub-paragraph (3) or (3B) (“the CSO”) takes the person upon whom it is imposed (“P”) to a police station, the CSO—

- (a) shall be under a duty to remain at the police station until he has transferred control of P to the custody officer there;
- (b) until he has so transferred control of P, shall be treated for all purposes as having P in his lawful custody; and
- (c) for so long as he is at the police station, or in its immediate vicinity, in compliance with, or having complied with, his duty under paragraph (a), shall be under a duty to prevent P's escape and to assist in keeping P under control.]

(5) A person who—

- (a) <sup>F35</sup> .....
- (b) makes off while subject to a requirement under sub-paragraph (3) <sup>[F36]</sup>or (3B)] , or

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- (c) makes off while accompanying a person to a police station in accordance with an election under sub-paragraph (4),  
 is guilty of an offence and shall be liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.
- (6) In this paragraph “relevant offence”, in relation to a person to whom this paragraph applies, means any offence which is—
- (a) a relevant fixed penalty offence for the purposes of the application of paragraph 1 to that person; or
- [<sup>F37</sup>(aa) an offence under section 39 of the Anti-social Behaviour, Crime and Policing Act 2014;]
- [<sup>F38</sup>(aza) an offence under a relevant byelaw within the meaning of paragraph 1ZA(4); or]
- [<sup>F39</sup>(ab) an offence committed in a specified park which by virtue of section 2 of the Parks Regulation (Amendment) Act 1926 is an offence against the Parks Regulation Act 1872; or]
- [<sup>F40</sup>(ac) an offence under section 3 or 4 of the Vagrancy Act 1824; or
- (ad) an offence under a relevant byelaw; or]
- (b) an offence the commission of which appears to that person to have caused—
- (i) injury, alarm or distress to any other person; or
- (ii) the loss of, or any damage to, any other person’s property;
- but a designation applying this paragraph to any person may provide that [<sup>F41</sup>, for the purposes of this paragraph as applied to that person by that designation,] an offence is not to be treated as a relevant offence by virtue of paragraph (b) unless it satisfies such other conditions as may be specified in the designation.
- [<sup>F42</sup>(6A) In this paragraph “relevant licensing offence” means an offence under any of the following provisions of the Licensing Act 2003—
- (a) section 141 (otherwise than by virtue of subsection (2)(c) or (3) of that section);
- (b) section 142;
- (c) section 146(1);
- (d) section 149(1)(a), (3)(a) or (4)(a);
- (e) section 150(1);
- (f) section 150(2) (otherwise than by virtue of subsection (3)(b) of that section);
- (g) section 152(1) (excluding paragraph (b)).
- (6B) In this paragraph “relevant byelaw” means a byelaw included in a list of byelaws which—
- (a) have been made by a relevant body with authority to make byelaws for any place within the relevant police area; and
- (b) the chief officer of the police force for the relevant police area and the relevant body have agreed to include in the list.
- (6C) The list must be published by the chief officer in such a way as to bring it to the attention of members of the public in localities where the byelaws in the list apply.
- (6D) A list of byelaws mentioned in sub-paragraph (6B) may be amended from time to time by agreement between the chief officer and the relevant body in question, by



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adding byelaws to it or removing byelaws from it, and the amended list shall also be published by the chief officer as mentioned in sub-paragraph (6C).

- (6E) A relevant body for the purposes of sub-paragraph (6B) is—
- (a) in England, a county council, a district council, a London borough council or a parish council; or in Wales, a county council, a county borough council or a community council;
  - (b) the Greater London Authority;
  - (c) Transport for London;
  - <sup>[F43]</sup>(d) an Integrated Transport Authority for an integrated transport area in England;
  - <sup>[F44]</sup>(da) a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;]]
  - (e) any body specified in an order made by the Secretary of State.
- (6F) An order under sub-paragraph (6E)(e) may provide, in relation to any body specified in the order, that the agreement mentioned in sub-paragraph (6B)(b) and (6D) is to be made between the chief officer and the Secretary of State (rather than between the chief officer and the relevant body).]
- (7) <sup>F45</sup> .....
- <sup>[F46]</sup>(8) The application of any provision of this paragraph by paragraph 3(2), 3A(2) <sup>[F47]</sup>, 7A(8) or 7C(2)] has no effect unless a designation <sup>F48</sup> . . . has applied this paragraph to the CSO in question.]

#### Textual Amendments

- F27** Sch. 4 para. 2(2) substituted (1.7.2005) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 122, 178, **Sch. 8 para. 3(2)**; S.I. 2005/1521, **art. 3(1)(h)(i)**
- F28** Words in Sch. 4 para. 2(3) substituted (1.7.2005) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 122, 178, **Sch. 8 para. 3(3)(a)**; S.I. 2005/1521, **art. 3(1)(h)(i)**
- F29** Words in Sch. 4 para. 2(3) added (1.1.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 122, 178, **Sch. 8 para. 3(3)(b)**; S.I. 2005/3495, **art. 2(1)(q)(r)**
- F30** Sch. 4 para. 2(3A)(3B) inserted (1.7.2005) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 122, 178, **Sch. 8 para. 3(4)**; S.I. 2005/1521, **art. 3(1)(h)(i)**
- F31** Words in Sch. 4 para. 2(3A)(b) substituted (1.12.2007) by Police and Justice Act 2006 (c. 48), ss. 9, 53, **Sch. 5 para. 5(4)**; S.I. 2007/3203, **art. 2(c)**
- F32** Words in Sch. 4 para. 2(4) inserted (1.7.2005) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 122, 178, **Sch. 8 para. 3(5)**; S.I. 2005/1521, **art. 3(1)(h)(i)**
- F33** Words in Sch. 4 para. 2(4) substituted (1.12.2007) by Police and Justice Act 2006 (c. 48), ss. 9, 53, **Sch. 5 para. 5(5)**; S.I. 2007/3203, **art. 2(c)**
- F34** Sch. 4 para. 2(4A)(4B) inserted (1.7.2005) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 122, 178, **Sch. 9 para. 2**; S.I. 2005/1521, **art. 3(1)(h)(j)**
- F35** Sch. 4 para. 2(5)(a) repealed (1.7.2005) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 122, 174, 178, **Sch. 8 para. 3(6)(a)**, **Sch. 17 Pt. 2**; S.I. 2005/1521, **art. 3(1)(h)(i)(cc)(ee)(vii)**
- F36** Words in Sch. 4 para. 2(5)(b) inserted (1.7.2005) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 122, 178, **Sch. 8 para. 3(6)(b)**; S.I. 2005/1521, **art. 3(1)(h)(i)**
- F37** Sch. 4 para. 2(6)(aa) substituted (20.10.2014) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), **ss. 40(2)**, 185(1) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/2590, **art. 3(b)**
- F38** Sch. 4 para. 2(6)(aza) and word inserted (27.1.2010) by Local Government and Public Involvement in Health Act 2007 (c. 28), **ss. 133(2)(c)**, 245; S.I. 2010/112, **art. 2(e)**

*Status: Point in time view as at 26/05/2016.*

*Changes to legislation: There are currently no known outstanding effects for the Police Reform Act 2002, Part 1. (See end of Document for details)*

- F39** Sch. 4 para. 2(6)(ab) inserted (1.7.2005) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 161, 178, **Sch. 13 para. 13(2)**; S.I. 2005/1521, **art. 3(1)(x)(y)**
- F40** Sch. 4 para. 2(6)(ac)(ad) inserted (1.7.2005) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 122, 178, **Sch. 8 para. 3(7)**; S.I. 2005/1521, **art. 3(1)(h)(i)**
- F41** Words in Sch. 4 para. 2(6) inserted (1.12.2007) by Police and Justice Act 2006 (c. 48), ss. 9, 53, **Sch. 5 para. 5(6)**; S.I. 2007/3203, **art. 2(c)**
- F42** Sch. 4 para. 2(6A)-(6F) inserted (1.7.2005 for the insertion of para. 2(6B)-(6F) and 1.1.2006 otherwise) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 122, 178, **Sch. 8 para. 3(8)**; S.I. 2005/1521, **art. 3(1)(h)(i)**; S.I. 2005/3495, **art. 2(1)(q)(r)**
- F43** Sch. 4 para. 2(6E)(d) substituted (9.2.2009) by Local Transport Act 2008 (c. 26), ss. 77, 134, **Sch. 4 para. 65(2)**; S.I. 2009/107, **art. 2(1)** (subject to Sch. 1 Pt. 2)
- F44** Sch. 4 para. 2(6E)(da) inserted (17.12.2009) by Local Democracy, Economic Development and Construction Act 2009 (c. 20), ss. 119, 148(6), **Sch. 6 para. 116**; S.I. 2009/3318, **art. 2(c)**
- F45** Sch. 4 para. 2(7) repealed (1.7.2005) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 122, 174, 178, **Sch. 8 para. 3(9)**, **Sch. 17 Pt. 2**; S.I. 2005/1521, **art. 3(1)(h)(i)(cc)(ee)(vii)**
- F46** Sch. 4 para. 2(8) added (1.7.2005) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 122, 178, **Sch. 8 para. 3(10)**; S.I. 2005/1521, **art. 3(1)(h)(i)**
- F47** Words in Sch. 4 para. 2(8) substituted (1.12.2007) by Police and Justice Act 2006 (c. 48), ss. 9, 53, **Sch. 5 para. 5(7)(a)**; S.I. 2007/3203, **art. 2(c)**
- F48** Words in Sch. 4 para. 2(8) repealed (1.12.2007) by Police and Justice Act 2006 (c. 48), ss. 9, 52, 53, **Sch. 5 para. 5(7)(b)**, **Sch. 15 Pt. 1(B)**; S.I. 2007/3203, **art. 2(e)**

#### **Modifications etc. (not altering text)**

- C5** Sch. 4 para. 2 modified (28.2.2013) by Canterbury City Council Act 2013 (c. i), **s. 13(2)(b)** (with s. 3)

#### **Commencement Information**

- I2** Sch. 4 para. 2 wholly in force at 23.12.2004; Sch. 4 para. 2 not in force at Royal Assent, see s. 108(2); Sch. 4 para. 2(1)(2)(5) (except sub- paragraphs (b)(c) and (6) in force at 2.12.2002 by S.I. 2002/2750, **art. 2(a)(ii)(b)**; Sch. 4 para. 2(3)(4)(5)(b)(c) in force for specified areas only at 2.12.2002 by S.I. 2002/2750, **art. 3**; Sch. 4 para. 2 in force in so far as not already in force at 23.12.2004 by S.I. 2004/3338, **art. 2(a)**

#### *Powers to search individuals and to seize and retain items*

- [<sup>F49</sup>2A (1) Where a designation applies this paragraph to any person, that person shall (subject to sub-paragraph (3)) have the powers mentioned in sub-paragraph (2) in relation to a person upon whom he has imposed a requirement to wait under paragraph 2(3) or (3B) (whether or not that person makes an election under paragraph 2(4)).
- (2) Those powers are the same powers as a constable has under section 32 of the 1984 Act in relation to a person arrested at a place other than a police station—
- (a) to search the arrested person if the constable has reasonable grounds for believing that the arrested person may present a danger to himself or others; and to seize and retain anything he finds on exercising that power, if the constable has reasonable grounds for believing that the person being searched might use it to cause physical injury to himself or to any other person;
  - (b) to search the arrested person for anything which he might use to assist him to escape from lawful custody; and to seize and retain anything he finds on exercising that power (other than an item subject to legal privilege) if the constable has reasonable grounds for believing that the person being searched might use it to assist him to escape from lawful custody.

*Status: Point in time view as at 26/05/2016.*

*Changes to legislation: There are currently no known outstanding effects for the Police Reform Act 2002, Part 1. (See end of Document for details)*

- (3) If in exercise of the power conferred by sub-paragraph (1) the person to whom this paragraph applies seizes and retains anything by virtue of sub-paragraph (2), he must—
- (a) tell the person from whom it was seized where inquiries about its recovery may be made; and
  - (b) comply with a constable's instructions about what to do with it.]

#### Textual Amendments

**F49** Sch. 4 para. 2A inserted (1.1.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 122, 178, [Sch. 8 para. 4](#); S.I. 2005/3495, [art. 2\(1\)\(q\)\(r\)](#)

#### General power of seizure

- [<sup>F50</sup>2B Where a designation applies this paragraph to any person—
- (a) that person shall, when lawfully on any premises in the relevant police area, have the same powers as a constable under section 19 of the 1984 Act (general powers of seizure) to seize things;
  - (b) that person shall also have the powers of a constable to impose a requirement by virtue of subsection (4) of that section in relation to information accessible from such premises;
  - (c) subsection (6) of that section (protection for legally privileged material from seizure) shall have effect in relation to the seizure of anything by that person by virtue of sub-paragraph (a) as it has effect in relation to the seizure of anything by a constable;
  - (d) section 21(1) and (2) of that Act (provision of record of seizure) shall have effect in relation to the seizure of anything by that person in exercise of the power conferred on him by virtue of sub-paragraph (a) as if the references to a constable and to an officer included references to that person; and
  - (e) sections 21(3) to (8) and 22 of that Act (access, copying and retention) shall have effect in relation to anything seized by that person in exercise of that power or taken away by him following the imposition of a requirement by virtue of sub-paragraph (b)—
    - (i) as they have effect in relation to anything seized in exercise of the power conferred on a constable by section 19(2) or (3) of that Act or taken away by a constable following the imposition of a requirement by virtue of section 19(4) of that Act; and
    - (ii) as if the references to a constable in subsections (3), (4) and (5) of section 21 included references to a person to whom this paragraph applies.]

#### Textual Amendments

**F50** Sch. 4 para. 3B and cross-heading inserted (13.5.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), [Sch. 10 para. 4](#) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, [Sch. para. 22](#)

*Status: Point in time view as at 26/05/2016.*

*Changes to legislation: There are currently no known outstanding effects for the Police Reform Act 2002, Part 1. (See end of Document for details)*

*Power to require name and address of person acting in an anti-social manner*

- 3 (1) Where a designation applies this paragraph to any person, that person shall, in the relevant police area, have the powers of a constable in uniform under section 50 to require a person whom he has reason to believe to have been acting, or to be acting, in an anti-social manner (within the meaning of section 1 of the Crime and Disorder Act 1998 (c. 37) (anti-social behaviour orders)) to give his name and address.
- (2) Sub-paragraphs (3) to (5) of paragraph 2 apply in the case of a requirement imposed by virtue of sub-paragraph (1) as they apply in the case of a requirement under [<sup>F51</sup>paragraph 1A(3)] .

**Textual Amendments**

**F51** Words in Sch. 4 para. 3(2) substituted (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 122, 178, [Sch. 8 para. 5](#); S.I. 2005/1521, [art. 3\(1\)\(h\)\(i\)](#)

**Modifications etc. (not altering text)**

**C6** Sch. 4 para. 3 applied (1.12.2007) by [The Police Reform Act 2002 \(Standard Powers and Duties of Community Support Officers\) Order 2007 \(S.I. 2007/3202\)](#), [art. 2](#), [Sch.](#)

**Commencement Information**

**I3** Sch. 4 para. 3 wholly in force at 23.12.2004; Sch. 4 para. 3 not in force at Royal Assent, see s. 108(2); Sch. 4 para. 3(1) in force at 2.12.2002 by [S.I. 2002/2750](#), [art. 2\(a\)\(ii\)\(c\)](#); Sch. 4 para. 3(2) in force for specified areas only at 2.12.2002 by [S. I. 2002/2750](#), [art. 3](#); Sch. 4 para. 3(2) in force in so far as not already in force at 23.12.2004 by [S.I. 2004/3338](#), [art. 2\(b\)](#)

*Power to require name and address: road traffic offences*

- [<sup>F52</sup>3A(1) Where a designation applies this paragraph to any person, that person shall, in the relevant police area, have the powers of a constable—
- (a) under subsection (1) of section 165 of the Road Traffic Act 1988 to require a person mentioned in paragraph (c) of that subsection who he has reasonable cause to believe has committed, in the relevant police area, an offence under subsection (1) or (2) of section 35 of that Act (including that section as extended by paragraphs 11B(4) and 12(2) of this Schedule) to give his name and address; and
- (b) under section 169 of that Act to require a person committing an offence under section 37 of that Act (including that section as extended by paragraphs 11B(4) and 12(2) of this Schedule) to give his name and address.
- (2) Sub-paragraphs (3) to (5) of paragraph 2 apply in the case of a requirement imposed by virtue of sub-paragraph (1) as they apply in the case of a requirement under paragraph 1A(3).
- (3) The reference in section 169 of the Road Traffic Act 1988 to section 37 of that Act is to be taken to include a reference to that section as extended by paragraphs 11B(4) and 12(2) of this Schedule.]

**Textual Amendments**

**F52** Sch. 4 para. 3A inserted (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 122, 178, [Sch. 8 para. 6](#); S.I. 2005/1521, [art. 3\(1\)\(h\)\(i\)](#)

*Status: Point in time view as at 26/05/2016.*

*Changes to legislation: There are currently no known outstanding effects for the Police Reform Act 2002, Part 1. (See end of Document for details)*

#### **Modifications etc. (not altering text)**

- C7** Sch. 4 para. 3A applied (1.12.2007) by [The Police Reform Act 2002 \(Standard Powers and Duties of Community Support Officers\) Order 2007 \(S.I. 2007/3202\)](#), art. 2, **Sch.**

#### *Power to require name and address etc: charity collectors*

- [<sup>F50</sup>3B** Where a designation applies this paragraph to any person, that person shall, in the relevant police area, have the powers of a constable—
- (a) under section 6 of the House to House Collections Act 1939 to require a person to give his name and address and to sign his name; and
  - (b) under regulations under section 4 of that Act to require a person to produce his certificate of authority.]

#### **Textual Amendments**

- F50** Sch. 4 para. 3B and cross-heading inserted (13.5.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), **Sch. 10 para. 4** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 22

#### *Power to use reasonable force to detain person*

- 4 (1) [<sup>F53</sup>Sub-paragraph (3) applies] where a designation—
- (a) applies this paragraph to a person to whom any or all of paragraphs 1 to 3 are also applied; and
  - (b) [<sup>F54</sup>sets out matters] in respect of which that person has the power conferred by this paragraph.
- (2) The matters that may be set out in a designation [<sup>F55</sup>as matters] in respect of which a person has the power conferred by this paragraph shall be confined to—
- (a) offences that are relevant penalty notice offences for the purposes of the application of paragraph 1 to the designated person;
  - (b) offences that are relevant offences [<sup>F56</sup>or relevant licensing offences] for the purposes of the application of paragraph [<sup>F57</sup>1A or] 2 to the designated person; and
  - (c) behaviour that constitutes acting in an anti-social manner (within the meaning of section 1 of the Crime and Disorder Act 1998 (c. 37) (anti-social behaviour orders)).
- (3) In any case in which a person to whom this paragraph applies has imposed a requirement on any other person under [<sup>F58</sup>paragraph 1A(3)] or 3(1) in respect of anything appearing to him to be a matter set out in the designation, he may use reasonable force to prevent that other person from making off [<sup>F59</sup>and to keep him under control] while he is either—
- (a) subject to a requirement imposed in that case by the designated person under sub-paragraph (3) of paragraph 2; or
  - (b) accompanying the designated person to a police station in accordance with an election made in that case under sub-paragraph (4) of that paragraph.

*Status: Point in time view as at 26/05/2016.*

*Changes to legislation: There are currently no known outstanding effects for the Police Reform Act 2002, Part 1. (See end of Document for details)*

#### Textual Amendments

- F53** Words in Sch. 4 para. 4(1) substituted (1.12.2007) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 9, 53, [Sch. 5 para. 5\(8\)\(a\)](#); S.I. 2007/3203, [art. 2\(c\)](#)
- F54** Words in Sch. 4 para. 4(1)(b) substituted (1.12.2007) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 9, 53, [Sch. 5 para. 5\(8\)\(b\)](#); S.I. 2007/3203, [art. 2\(c\)](#)
- F55** Words in Sch. 4 para. 4(2) substituted (1.12.2007) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 9, 53, [Sch. 5 para. 5\(8\)\(c\)](#); S.I. 2007/3203, [art. 2\(c\)](#)
- F56** Words in Sch. 4 para. 4(2)(b) inserted (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 122, 178, [Sch. 9 para. 3\(a\)](#); S.I. 2005/1521, [art. 3\(1\)\(h\)\(j\)](#)
- F57** Words in Sch. 4 para. 4(2)(b) inserted (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 122, 178, [Sch. 8 para. 7\(a\)](#); S.I. 2005/1521, [art. 3\(1\)\(h\)\(i\)](#)
- F58** Words in Sch. 4 para. 4(3) substituted (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 122, 178, [Sch. 8 para. 7\(b\)](#); S.I. 2005/1521, [art. 3\(1\)\(h\)\(i\)](#)
- F59** Words in Sch. 4 para. 4(3) inserted (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 122, 178, [Sch. 9 para. 3\(b\)](#); S.I. 2005/1521, [art. 3\(1\)\(h\)\(j\)](#)

#### Modifications etc. (not altering text)

- C8** Sch. 4 para. 4 modified (28.2.2013) by [Canterbury City Council Act 2013 \(c. i\)](#), [s. 13\(2\)\(c\)](#) (with [s. 3](#))

#### Commencement Information

- I4** Sch. 4 para. 4 wholly in force at 23.12.2004; Sch. 4 para. 4 not in force at Royal Assent, see [s. 108\(2\)](#); Sch. 4 para. 4 in force for specified areas only at 2.12.2002 by [S.I. 2002/2750](#), [art. 3](#); Sch. 4 para. 4 in force in so far as not already in force at 23.12.2004 by [S.I. 2004/3338](#), [art. 2\(c\)](#)

- [<sup>F60</sup>4ZA Where a designation applies this paragraph to any person, that person may, if he has imposed a requirement on any person to wait with him under paragraph 2(3B) or by virtue of paragraph 7A(8) or 7C(2)(a), use reasonable force to prevent that other person from making off and to keep him under control while he is either—
- (a) subject to that requirement; or
  - (b) accompanying the designated person to a police station in accordance with an election made under paragraph 2(4).

#### Textual Amendments

- F60** Sch. 4 paras. 4ZA, 4ZB inserted (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 122, 178, [Sch. 9 para. 4](#); S.I. 2005/1521, [art. 3\(1\)\(h\)\(j\)](#)

- 4ZB Where a designation applies this paragraph to any person, that person, if he is complying with any duty under sub-paragraph (4A) or (4B) of paragraph 2, may use reasonable force to prevent P (as identified in those sub-paragraphs) from making off (or escaping) and to keep him under control.]

#### Textual Amendments

- F60** Sch. 4 paras. 4ZA, 4ZB inserted (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 122, 178, [Sch. 9 para. 4](#); S.I. 2005/1521, [art. 3\(1\)\(h\)\(j\)](#)

*Status: Point in time view as at 26/05/2016.*

*Changes to legislation: There are currently no known outstanding effects for the Police Reform Act 2002, Part 1. (See end of Document for details)*

*Power to disperse groups and remove young persons to their place of residence*

[<sup>F61</sup>][<sup>F62</sup>4A] Where a designation applies this paragraph to a person, that person has within the relevant police area the powers conferred on a constable by section 35 of the Anti-social Behaviour, Crime and Policing Act 2014.

**Textual Amendments**

**F61** Sch. 4 paras. 4A, 4B inserted (20.1.2004) by Anti-social Behaviour Act 2003 (c. 38), ss. 33(3), 93; S.I. 2003/3300, art. 2(b)

**F62** Sch. 4 paras. 4A, 4AB substituted for Sch. 4 para. 4A (20.10.2014) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), ss. 40(3), 185(1) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/2590, art. 3(b)

[<sup>F61</sup>][<sup>F62</sup>4A] Where a designation applies this paragraph to a person, that person has within the relevant police area the powers conferred on a constable by section 37 of the Anti-social Behaviour, Crime and Policing Act 2014.

(2) A designation may not apply this paragraph to a person unless a designation also applies paragraph 4A to that person.]

**Textual Amendments**

**F61** Sch. 4 paras. 4A, 4B inserted (20.1.2004) by Anti-social Behaviour Act 2003 (c. 38), ss. 33(3), 93; S.I. 2003/3300, art. 2(b)

**F62** Sch. 4 paras. 4A, 4AB substituted for Sch. 4 para. 4A (20.10.2014) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), ss. 40(3), 185(1) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/2590, art. 3(b)

**Textual Amendments**

**F61** Sch. 4 paras. 4A, 4B inserted (20.1.2004) by Anti-social Behaviour Act 2003 (c. 38), ss. 33(3), 93; S.I. 2003/3300, art. 2(b)

**F62** Sch. 4 paras. 4A, 4AB substituted for Sch. 4 para. 4A (20.10.2014) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), ss. 40(3), 185(1) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/2590, art. 3(b)

*Power to disperse groups and remove young persons to their place of residence*

4B (1) Where a designation applies this paragraph to any person, that person shall, within the relevant police area, have the power of a constable under section 15(3) of the Crime and Disorder Act 1998 (power to remove child to their place of residence).

(2) Section 15(1) of that Act shall have effect in relation to the exercise of that power by that person as if the reference to a constable in that section were a reference to that person.

(3) Where that person exercises that power, the duty in section 15(2) of that Act (duty to inform local authority of contravention of curfew notice) is to apply to him as it applies to a constable.]

*Status: Point in time view as at 26/05/2016.*

*Changes to legislation: There are currently no known outstanding effects for the Police Reform Act 2002, Part 1. (See end of Document for details)*

#### Textual Amendments

- F61** Sch. 4 paras. 4A, 4B inserted (20.1.2004) by Anti-social Behaviour Act 2003 (c. 38), **ss. 33(3), 93**; S.I. 2003/3300, **art. 2(b)**

*Power to remove truants [<sup>F64</sup>and excluded pupils] to designated premises etc.*

- <sup>F63</sup>4C Where a designation applies this paragraph to any person, that person shall—
- (a) as respects any area falling within the relevant police area and specified in a direction under section 16(2) of the Crime and Disorder Act 1998, but
  - (b) only during the period specified in the direction,
- have the powers conferred on a constable by [<sup>F65</sup>section 16(3) or (3ZA) of that Act (power to remove truant or excluded pupil found in specified area to designated premises or, in case of truant, to the school from which he is absent).]

#### Textual Amendments

- F63** Sch. 4 para. 4C inserted (1.4.2007) by Police and Justice Act 2006 (c. 48), **ss. 8, 53**; S.I. 2007/709, **art. 3(f)** (subject to **arts. 6, 7**)
- F64** Words in Sch. 4 para. 4C heading inserted (1.9.2007 (E.) and 31.10.2010 (W.)) by Education and Inspections Act 2006 (c. 40), **ss. 108(7)(b)**, 188; S.I. 2007/1801, **art. 3(e)**; S.I. 2010/2543, **art. 2(j)**
- F65** Words in Sch. 4 para. 4C substituted (1.9.2007 (E.) and 31.10.2010 (W.)) by Education and Inspections Act 2006 (c. 40), **ss. 108(7)(a)**, 188; S.I. 2007/1801, **art. 3(e)**; S.I. 2010/2543, **art. 2(j)**

*Alcohol consumption in restricted areas*

- <sup>F66</sup>5 Where a designation applies this paragraph to any person, that person shall, within the relevant police area, have the powers of a constable under section 63 of the Anti-social Behaviour, Crime and Policing Act 2014 (consumption of alcohol in breach of prohibition in public spaces protection order)—
- (a) to impose a requirement under subsection (2) of that section; and
  - (b) to dispose under subsection (5) of that section of anything surrendered to the person;
- and that section shall have effect in relation to the exercise of those powers by that person as if the references to a constable were references to that person.]

#### Textual Amendments

- F66** Sch. 4 para. 5 substituted (20.10.2014) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), **ss. 69(1), 185(1)** (with **ss. 21, 33, 42, 58, 75, 93**); S.I. 2014/2590, **art. 3(c)**

#### Modifications etc. (not altering text)

- C9** Sch. 4 para. 5 applied (1.12.2007) by The Police Reform Act 2002 (Standard Powers and Duties of Community Support Officers) Order 2007 (S.I. 2007/3202), **art. 2, Sch.**

*Power to serve closure notice for licensed premises persistently selling to children*

- <sup>F67</sup>5A Where a designation applies this paragraph to any person, that person shall have—



*Status: Point in time view as at 26/05/2016.*

*Changes to legislation: There are currently no known outstanding effects for the Police Reform Act 2002, Part 1. (See end of Document for details)*

- (a) within the relevant police area, and
  - (b) if it appears to him as mentioned in subsection (7) of section 169A of the Licensing Act 2003 (closure notices served on licensed premises persistently serving children),
- the capacity of a constable under that subsection to be the person by whose delivery of a closure notice that notice is served.]

#### Textual Amendments

**F67** Sch. 4 para. 5A inserted (6.4.2007) by [Violent Crime Reduction Act 2006 \(c. 38\)](#), [ss. 24\(6\)](#), 66; [S.I. 2007/858](#), [art. 2\(a\)](#)

#### Confiscation of alcohol

6 Where a designation applies this paragraph to any person, that person shall, within the relevant police area, have the powers of a constable under section 1 of the Confiscation of Alcohol (Young Persons) Act 1997 (c. 33) (confiscation of intoxicating liquor)—

- (a) to impose a requirement under subsection (1) [<sup>F68</sup>or (1AA)] of that section; and
- (b) to dispose under subsection (2) of that section of anything surrendered to him;

and that section shall have effect in relation to the exercise of those powers by that person as if the references to a constable in [<sup>F69</sup>subsections (1), (1AA) and (4) (but not the reference in subsection (1AB) (removal))] were references to that person.

#### Textual Amendments

**F68** Words in Sch. 4 para. 6 inserted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), [ss. 112, 116](#), {Sch, 7 para. 27(a)}; [S.I. 2010/125](#), [art. 2\(t\)](#)

**F69** Words in Sch. 4 para. 6 substituted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), [ss. 112, 116](#), {Sch, 7 para. 27(b)}; [S.I. 2010/125](#), [art. 2\(t\)](#)

#### Modifications etc. (not altering text)

**C10** Sch. 4 para. 6 applied (1.12.2007) by [The Police Reform Act 2002 \(Standard Powers and Duties of Community Support Officers\) Order 2007 \(S.I. 2007/3202\)](#), [art. 2](#), [Sch.](#)

#### Confiscation of tobacco etc.

7 Where a designation applies this paragraph to any person, that person shall, within the relevant police area, have—

- (a) the power to seize anything that a constable in uniform has a duty to seize under subsection (3) of section 7 of the Children and Young Persons Act 1933 (c. 12) (seizure of tobacco etc. from young persons); and
- (b) the power to dispose of anything that a constable may dispose of under that subsection;

and the power to dispose of anything shall be a power to dispose of it in such manner as the [<sup>F70</sup>local policing body] may direct.

*Status: Point in time view as at 26/05/2016.*

*Changes to legislation: There are currently no known outstanding effects for the Police Reform Act 2002, Part 1. (See end of Document for details)*

#### **Textual Amendments**

**F70** Words in Sch. 4 para. 7 substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 16 para. 303](#); S.I. 2011/3019, art. 3, Sch. 1

#### **Modifications etc. (not altering text)**

**C11** Sch. 4 para. 7 applied (1.12.2007) by [The Police Reform Act 2002 \(Standard Powers and Duties of Community Support Officers\) Order 2007 \(S.I. 2007/3202\), art. 2, Sch.](#)

#### *Search and seizure powers: alcohol and tobacco*

- [<sup>F71</sup>7A (1) Where a designation applies this paragraph to any person (“the CSO”), the CSO shall have the powers set out below.
- (2) Where—
- (a) in exercise of the powers referred to in paragraph 5 or 6 the CSO has imposed, under section 12(2) of the Criminal Justice and Police Act 2001 or under section 1 of the Confiscation of Alcohol (Young Persons) Act 1997, a requirement on a person to surrender alcohol or a container for alcohol;
  - (b) that person fails to comply with that requirement; and
  - (c) the CSO reasonably believes that the person has alcohol or a container for alcohol in his possession,
- the CSO may search him for it.
- (3) Where—
- (a) in exercise of the powers referred to in paragraph 7 the CSO has sought to seize something which by virtue of that paragraph he has a power to seize;
  - (b) the person from whom he sought to seize it fails to surrender it; and
  - (c) the CSO reasonably believes that the person has it in his possession,
- the CSO may search him for it.
- (4) The power to search conferred by sub-paragraph (2) or (3)—
- (a) is to do so only to the extent that is reasonably required for the purpose of discovering whatever the CSO is searching for; and
  - (b) does not authorise the CSO to require a person to remove any of his clothing in public other than an outer coat, jacket or gloves.
- (5) A person who without reasonable excuse fails to consent to being searched is guilty of an offence and shall be liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.
- (6) A CSO who proposes to exercise the power to search a person under sub-paragraph (2) or (3) must inform him that failing without reasonable excuse to consent to being searched is an offence.
- (7) If the person in question fails to consent to being searched, the CSO may require him to give the CSO his name and address.
- (8) Sub-paragraph (3) of paragraph 2 applies in the case of a requirement imposed by virtue of sub-paragraph (7) as it applies in the case of a requirement under paragraph 1A(3); and sub-paragraphs (4) to (5) of paragraph 2 also apply accordingly.

*Status: Point in time view as at 26/05/2016.*

*Changes to legislation: There are currently no known outstanding effects for the Police Reform Act 2002, Part 1. (See end of Document for details)*

- (9) If on searching the person the CSO discovers what he is searching for, he may seize it and dispose of it.

#### Textual Amendments

**F71** Sch. 4 paras. 7A-7C inserted (1.1.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 122, 178, [Sch. 8 para. 8](#); S.I. 2005/3495, [art. 2\(1\)\(q\)\(r\)](#)

#### *Powers to seize and detain: controlled drugs*

- 7B (1) Where a designation applies this paragraph to any person (“the CSO”), the CSO shall, within the relevant police area, have the powers set out in sub-paragraphs (2) and (3).
- (2) If the CSO—
- finds a controlled drug in a person's possession [<sup>F72</sup>(whether or not the CSO finds it in the course of searching the person by virtue of any paragraph of this Part of this Schedule being applied to the CSO by a designation); and]
  - reasonably believes that it is unlawful for the person to be in possession of it, the CSO may seize it and retain it.
- (3) If the CSO—
- finds a controlled drug in a person's possession (as mentioned in sub-paragraph (2)); or
  - reasonably believes that a person is in possession of a controlled drug, and reasonably believes that it is unlawful for the person to be in possession of it, the CSO may require him to give the CSO his name and address.
- (4) If in exercise of the power conferred by sub-paragraph (2) the CSO seizes and retains a controlled drug, he must—
- if the person from whom it was seized maintains that he was lawfully in possession of it, tell the person where inquiries about its recovery may be made; and
  - comply with a constable's instructions about what to do with it.
- (5) A person who fails to comply with a requirement under sub-paragraph (3) is guilty of an offence and shall be liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.
- (6) In this paragraph, “controlled drug” has the same meaning as in the Misuse of Drugs Act 1971.

#### Textual Amendments

**F71** Sch. 4 paras. 7A-7C inserted (1.1.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 122, 178, [Sch. 8 para. 8](#); S.I. 2005/3495, [art. 2\(1\)\(q\)\(r\)](#)

**F72** Words in Sch. 4 para. 7B(2)(a) substituted (1.12.2007) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 9, 53, [Sch. 5 para. 5\(9\)](#); S.I. 2007/3203, [art. 2\(c\)](#)

*Status: Point in time view as at 26/05/2016.*

*Changes to legislation: There are currently no known outstanding effects for the Police Reform Act 2002, Part 1. (See end of Document for details)*

#### **Modifications etc. (not altering text)**

**C12** Sch. 4 para. 7B applied (1.12.2007) by [The Police Reform Act 2002 \(Standard Powers and Duties of Community Support Officers\) Order 2007 \(S.I. 2007/3202\)](#), art. 2, [Sch.](#)

#### *Powers to seize and detain: controlled drugs*

- 7C (1) Sub-paragraph (2) applies where a designation applies this paragraph to any person (“the CSO”).
- (2) If the CSO imposes a requirement on a person under paragraph 7B(3)—
- (a) sub-paragraph (3) of paragraph 2 applies in the case of such a requirement as it applies in the case of a requirement under paragraph 1A(3); and
  - (b) sub-paragraphs (4) to (5) of paragraph 2 also apply accordingly.]

#### **Textual Amendments**

**F71** Sch. 4 paras. 7A-7C inserted (1.1.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 122, 178, [Sch. 8 para. 8](#); S.I. 2005/3495, [art. 2\(1\)\(q\)\(r\)](#)

#### *Park Trading offences*

- [<sup>F73</sup>7D(1) This paragraph applies if—
- (a) a designation applies it to any person (“the CSO”), and
  - (b) the CSO has under paragraph 2(3) required another person (“P”) to wait with him for the arrival of a constable.
- (2) If the CSO reasonably suspects that P has committed a park trading offence, the CSO may take possession of anything of a non-perishable nature which—
- (a) P has in his possession or under his control, and
  - (b) the CSO reasonably believes to have been used in the commission of the offence.
- (3) The CSO may retain possession of the thing in question for a period not exceeding 30 minutes unless P makes an election under paragraph 2(4), in which case the CSO may retain possession of the thing in question until he is able to transfer control of it to a constable.
- (4) In this paragraph “park trading offence” means an offence committed in a specified park which is a park trading offence for the purposes of the Royal Parks (Trading) Act 2000.]

#### **Textual Amendments**

**F73** Sch. 4 para. 7D inserted (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 161, 178, [Sch. 13 para. 13\(3\)](#); S.I. 2005/1521, [art. 3\(1\)\(x\)\(y\)](#)

#### *Powers to seize and detain: psychoactive substances*

- [<sup>F74</sup>7E (1) Where a designation applies this paragraph to any person (“the CSO”), the CSO shall, within the relevant police area, have the powers set out in sub-paragraphs (2) and (3).

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- (2) If the CSO—
- (a) finds a psychoactive substance in a person’s possession (whether or not the CSO finds it in the course of searching the person by virtue of any paragraph of this Part of this Schedule being applied to the CSO by a designation), and
  - (b) reasonably believes that it is unlawful for the person to be in possession of it, the CSO may seize it and retain it.
- (3) If the CSO—
- (a) finds a psychoactive substance in a person’s possession (as mentioned in sub-paragraph (2)), or
  - (b) reasonably believes that a person is in possession of a psychoactive substance,
- and reasonably believes that it is unlawful for the person to be in possession of it, the CSO may require the person to give the CSO his name and address.
- (4) If in exercise of the power conferred by sub-paragraph (2) the CSO seizes and retains a psychoactive substance, the CSO must—
- (a) if the person from whom it was seized maintains that he was lawfully in possession of it—
    - (i) tell the person where inquiries about its recovery may be made, and
    - (ii) explain the effect of sections 49 to 51 and 53 of the Psychoactive Substances Act 2016 (retention and disposal of items), and
  - (b) comply with a constable’s instructions about what to do with it.
- (5) Any substance seized in exercise of the power conferred by sub-paragraph (2) is to be treated for the purposes of sections 49 to 53 of the Psychoactive Substances Act 2016 as if it had been seized by a police or customs officer under section 36 of that Act.
- (6) A person who fails to comply with a requirement under sub-paragraph (3) is guilty of an offence and is liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.
- (7) In this paragraph “police or customs officer” and “psychoactive substance” have the same meaning as in the Psychoactive Substances Act 2016.

#### Textual Amendments

**F74** Sch. 4 paras. 7E, 7F and cross-heading inserted (26.5.2016) by Psychoactive Substances Act 2016 (c. 2), s. 63(2), Sch. 5 para. 3; S.I. 2016/553, reg. 2

[<sup>F74</sup>7F (1) Sub-paragraph (2) applies where a designation applies this paragraph to any person (“the CSO”).

- (2) If the CSO imposes a requirement on a person under paragraph 7E(3)—
- (a) sub-paragraph (3) of paragraph 2 applies in the case of such a requirement as it applies in the case of a requirement under paragraph 1A(3), and
  - (b) sub-paragraphs (4) to (5) of paragraph 2 also apply accordingly.]

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*Changes to legislation: There are currently no known outstanding effects for the Police Reform Act 2002, Part 1. (See end of Document for details)*

**Textual Amendments**

**F74** Sch. 4 paras. 7E, 7F and cross-heading inserted (26.5.2016) by [Psychoactive Substances Act 2016 \(c. 2\)](#), s. 63(2), **Sch. 5 para. 3**; S.I. 2016/553, reg. 2

**Textual Amendments**

**F74** Sch. 4 paras. 7E, 7F and cross-heading inserted (26.5.2016) by [Psychoactive Substances Act 2016 \(c. 2\)](#), s. 63(2), **Sch. 5 para. 3**; S.I. 2016/553, reg. 2

*Entry to save life or limb or prevent serious damage to property*

- 8 Where a designation applies this paragraph to any person, that person shall have the powers of a constable under section 17 of the 1984 Act to enter and search any premises in the relevant police area for the purpose of saving life or limb or preventing serious damage to property.

**Modifications etc. (not altering text)**

**C13** Sch. 4 para. 8 applied (1.12.2007) by [The Police Reform Act 2002 \(Standard Powers and Duties of Community Support Officers\) Order 2007 \(S.I. 2007/3202\)](#), art. 2, **Sch.**

*Entry to investigate licensing offences*

- [<sup>F75</sup>8A (1) Where a designation applies this paragraph to any person, that person shall have the powers of a constable under section 180 of the Licensing Act 2003 to enter and search premises other than clubs in the relevant police area, but only in respect of a relevant licensing offence (as defined for the purposes of paragraph 2).
- (2) Except as mentioned in sub-paragraph (3), a person to whom this paragraph applies shall not, in exercise of the power conferred by sub-paragraph (1), enter any premises except in the company, and under the supervision, of a constable.
- (3) The prohibition in sub-paragraph (2) does not apply in relation to premises in respect of which the person to whom this paragraph applies reasonably believes that a premises licence under Part 3 of the Licensing Act 2003 authorises the sale of alcohol for consumption off the premises.]

**Textual Amendments**

**F75** Sch. 4 para. 8A inserted (1.1.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 122, 178, **Sch. 8 para. 9**; S.I. 2005/3495, art. 2(1)(q)(r)

*Seizure of vehicles used to cause alarm etc.*

- 9 (1) Where a designation applies this paragraph to any person—
- (a) that person shall, within the relevant police area, have all the powers of a constable in uniform under section 59 of this Act which are set out in subsection (3) of that section; and

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- (b) references in that section to a constable, in relation to the exercise of any of those powers by that person, are references to that person.
- (2) A person to whom this paragraph applies shall not enter any premises in exercise of the power conferred by section 59(3)(c) except in the company, and under the supervision, of a constable.

**Modifications etc. (not altering text)**

**C14** Sch. 4 para. 9 applied (1.12.2007) by [The Police Reform Act 2002 \(Standard Powers and Duties of Community Support Officers\) Order 2007 \(S.I. 2007/3202\)](#), art. 2, [Sch.](#)

*Abandoned vehicles*

- 10 Where a designation applies this paragraph to any person, that person shall have any such powers in the relevant police area as are conferred on persons designated under that section by regulations under section 99 of the Road Traffic Regulation Act 1984 (c. 27) (removal of abandoned vehicles).

**Modifications etc. (not altering text)**

**C15** Sch. 4 para. 10 applied (1.12.2007) by [The Police Reform Act 2002 \(Standard Powers and Duties of Community Support Officers\) Order 2007 \(S.I. 2007/3202\)](#), art. 2, [Sch.](#)

*Power to stop vehicle for testing*

- 11 Where a designation applies this paragraph to any person, that person shall, within the relevant police area, have the power of a constable in uniform to stop a vehicle under subsection (3) of section 67 of the Road Traffic Act 1988 (c. 52) for the purposes of a test under subsection (1) of that section.

*Power to stop cycles*

- [<sup>F76</sup>11A(1) Subject to sub-paragraph (2), where a designation applies this paragraph to any person, that person shall, within the relevant police area, have the power of a constable in uniform under section 163(2) of the Road Traffic Act 1988 to stop a cycle.
- (2) The power mentioned in sub-paragraph (1) may only be exercised by that person in relation to a person who he has reason to believe has committed an offence [<sup>F77</sup>listed in paragraph 1(2B)(a) to (e), (f)(i) or (g)] .]

**Textual Amendments**

**F76** Sch. 4 para. 11A inserted (20.1.2004) by [Anti-social Behaviour Act 2003 \(c. 38\)](#), ss. [89\(3\)](#), [93](#); [S.I. 2003/3300](#), art. [2\(f\)\(iv\)](#)

**F77** Words in Sch. 4 para. 11A(2) substituted (13.5.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. [185\(1\)](#), [Sch. 10 para. 6](#) (with ss. [21](#), [33](#), [42](#), [58](#), [75](#), [93](#)); [S.I. 2014/949](#), art. [3](#), Sch. para. [22](#)

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**Modifications etc. (not altering text)**

**C16** Sch. 4 para. 11A applied (1.12.2007) by [The Police Reform Act 2002 \(Standard Powers and Duties of Community Support Officers\) Order 2007 \(S.I. 2007/3202\)](#), art. 2, **Sch.**

*Power to control traffic for purposes other than escorting a load of exceptional dimensions*

[<sup>F78</sup>11B(1) Where a designation applies this paragraph to any person, that person shall have, in the relevant police area—

- (a) the power of a constable engaged in the regulation of traffic in a road to direct a person driving or propelling a vehicle to stop the vehicle or to make it proceed in, or keep to, a particular line of traffic;
- (b) the power of a constable in uniform engaged in the regulation of vehicular traffic in a road to direct a person on foot to stop proceeding along or across the carriageway.

(2) The purposes for which those powers may be exercised do not include the purpose mentioned in paragraph 12(1).

(3) Where a designation applies this paragraph to any person, that person shall also have, in the relevant police area, the power of a constable, for the purposes of a traffic survey, to direct a person driving or propelling a vehicle to stop the vehicle, to make it proceed in, or keep to, a particular line of traffic, or to proceed to a particular point on or near the road.

(4) Sections 35 and 37 of the Road Traffic Act 1988 (offences of failing to comply with directions of constable engaged in regulation of traffic in a road) shall have effect in relation to the exercise of the powers mentioned in sub-paragraphs (1) and (3), for the purposes for which they may be exercised and by a person whose designation applies this paragraph to him, as if the references to a constable were references to him.

(5) A designation may not apply this paragraph to any person unless a designation also applies paragraph 3A to him.]

**Textual Amendments**

**F78** Sch. 4 para. 11B inserted (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 122, 178, **Sch. 8 para. 10**; [S.I. 2005/1521](#), art. 3(1)(h)(i)

**Modifications etc. (not altering text)**

**C17** Sch. 4 para. 11B applied (1.12.2007) by [The Police Reform Act 2002 \(Standard Powers and Duties of Community Support Officers\) Order 2007 \(S.I. 2007/3202\)](#), art. 2, **Sch.**

*Power to control traffic for purposes of escorting a load of exceptional dimensions*

12 (1) Where a designation applies this paragraph to any person, that person shall have, for the purpose of escorting a vehicle or trailer carrying a load of exceptional dimensions either to or from the relevant police area, the power of a constable engaged in the regulation of traffic in a road—

- (a) to direct a vehicle to stop;
- (b) to make a vehicle proceed in, or keep to, a particular line of traffic; and
- (c) to direct pedestrians to stop.



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- (2) Sections 35 and 37 of the Road Traffic Act 1988 (offences of failing to comply with directions of constable engaged in regulation of traffic in a road) shall have effect in relation to the exercise of those powers for the purpose mentioned in subparagraph (1) by a person whose designation applies this paragraph to him as if the references to a constable engaged in regulation of traffic in a road were references to that person.
- (3) The powers conferred by virtue of this paragraph may be exercised in any police area in England and Wales.
- (4) In this paragraph “vehicle or trailer carrying a load of exceptional dimensions” means a vehicle or trailer the use of which is authorised by an order made by the Secretary of State under section 44(1)(d) of the Road Traffic Act 1988.

#### *Carrying out of road checks*

- 13 Where a designation applies this paragraph to any person, that person shall have the following powers in the relevant police area—
- (a) the power to carry out any road check the carrying out of which by a police officer is authorised under section 4 of the 1984 Act (road checks); and
  - (b) for the purpose of exercising that power, the power conferred by section 163 of the Road Traffic Act 1988 (c. 52) (power of police to stop vehicles) on a constable in uniform to stop a vehicle.

#### **Modifications etc. (not altering text)**

**C18** Sch. 4 para. 13 applied (1.12.2007) by [The Police Reform Act 2002 \(Standard Powers and Duties of Community Support Officers\) Order 2007 \(S.I. 2007/3202\)](#), art. 2, [Sch.](#)

#### *Power to place traffic signs*

- [<sup>F79</sup>13A(1) Where a designation applies this paragraph to any person, that person shall have, in the relevant police area, the powers of a constable under section 67 of the Road Traffic Regulation Act 1984 to place and maintain traffic signs.
- (2) Section 36 of the Road Traffic Act 1988 (drivers to comply with traffic directions) shall apply to signs placed in the exercise of the powers conferred by virtue of subparagraph (1).]

#### **Textual Amendments**

**F79** Sch. 4 para. 13A inserted (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 122, 178, [Sch. 8 para. 11](#); [S.I. 2005/1521](#), art. [3\(1\)\(h\)\(i\)](#)

#### **Modifications etc. (not altering text)**

**C19** Sch. 4 para. 13A applied (1.12.2007) by [The Police Reform Act 2002 \(Standard Powers and Duties of Community Support Officers\) Order 2007 \(S.I. 2007/3202\)](#), art. 2, [Sch.](#)

*Status: Point in time view as at 26/05/2016.*

*Changes to legislation: There are currently no known outstanding effects for the Police Reform Act 2002, Part 1. (See end of Document for details)*

### *Cordoned areas*

- 14 Where a designation applies this paragraph to any person, that person shall, in relation to any cordoned area in the relevant police area, have all the powers of a constable in uniform under section 36 of the Terrorism Act 2000 (c. 11) (enforcement of cordoned area) to give orders, make arrangements or impose prohibitions or restrictions.

#### **Modifications etc. (not altering text)**

**C20** Sch. 4 para. 14 applied (1.12.2007) by [The Police Reform Act 2002 \(Standard Powers and Duties of Community Support Officers\) Order 2007 \(S.I. 2007/3202\)](#), art. 2, [Sch.](#)

### *Power to stop and search vehicles etc. in authorised areas*

- 15 (1) Where a designation applies this paragraph to any person—
- (a) that person shall, in any authorised area within the relevant police area, have all the powers of a constable in uniform by virtue of [<sup>F80</sup> section 47A(2) (a) and (d), (3)(b) and (6) ] of the Terrorism Act 2000 (powers of stop and search)—
    - (i) to stop and search vehicles;
    - (ii) to search anything in or on a vehicle or anything carried by the driver of a vehicle or any passenger in a vehicle;
    - (iii) to search anything carried by a pedestrian; and
    - (iv) to seize and retain [<sup>F81</sup> anything which is ] discovered in the course of a search carried out by him or by a constable by virtue of any provision of [<sup>F82</sup> section 47A(2) or (3) of that Act and which he reasonably suspects may constitute evidence that the vehicle concerned is being used for the purposes of terrorism or (as the case may be) that the person concerned is a person falling within section 40(1)(b) of that Act ] ;
  - and
  - (b) the references to a constable in [<sup>F83</sup> subsections (4) and (5) of section 47A of, and paragraphs 1 and 2 of Schedule 6B to, ] that Act (which relate to the exercise of those powers) shall have effect in relation to the exercise of any of those powers by that person as references to that person.
- (2) A person shall not exercise any power of stop, search or seizure by virtue of this paragraph except in the company, and under the supervision, of a constable.

#### **Textual Amendments**

- F80** Words in Sch. 4 para. 15(1)(a) substituted (10.7.2012) by [Protection of Freedoms Act 2012 \(c. 9\)](#), s. 120, [Sch. 9 para. 30\(a\)\(i\)](#) (with s. 97); S.I. 2012/1205, art. 4(k)
- F81** Words in Sch. 4 para. 15(1)(a)(iv) substituted (10.7.2012) by [Protection of Freedoms Act 2012 \(c. 9\)](#), s. 120, [Sch. 9 para. 30\(a\)\(ii\)](#) (with s. 97); S.I. 2012/1205, art. 4(k)
- F82** Words in Sch. 4 para. 15(1)(a)(iv) substituted (10.7.2012) by [Protection of Freedoms Act 2012 \(c. 9\)](#), s. 120, [Sch. 9 para. 30\(a\)\(iii\)](#) (with s. 97); S.I. 2012/1205, art. 4(k)
- F83** Words in Sch. 4 para. 15(1)(b) substituted (10.7.2012) by [Protection of Freedoms Act 2012 \(c. 9\)](#), s. 120, [Sch. 9 para. 30\(b\)](#) (with s. 97); S.I. 2012/1205, art. 4(k)

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**Modifications etc. (not altering text)**

- C21** Sch. 4 para. 15 applied (1.12.2007) by [The Police Reform Act 2002 \(Standard Powers and Duties of Community Support Officers\) Order 2007 \(S.I. 2007/3202\)](#), art. 2, **Sch.**
- C22** Sch. 4 para. 15(1) modified (18.3.2011) by [The Terrorism Act 2000 \(Remedial\) Order 2011 \(S.I. 2011/631\)](#), art. 1, **Sch. 2 para. 5** (with art. 6)

*Photographing of persons arrested, detained or given fixed penalty notices*

[<sup>F84</sup>15ZA Where a designation applies this paragraph to any person, that person shall, within the relevant police area, have the power of a constable under section 64A(1A) of the 1984 Act (photographing of suspects etc.) to take a photograph of a person elsewhere than at a police station.]

**Textual Amendments**

- F84** Sch. 4 para. 15ZA inserted (1.1.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 122, 178, **Sch. 8 para. 12**; S.I. 2005/3495, **art. 2(1)(q)(r)**

**Modifications etc. (not altering text)**

- C23** Sch. 4 para. 15ZA applied (1.12.2007) by [The Police Reform Act 2002 \(Standard Powers and Duties of Community Support Officers\) Order 2007 \(S.I. 2007/3202\)](#), art. 2, **Sch.**

*Power to modify paragraph [<sup>F86</sup>1(2A)]*

[<sup>F85</sup>~~[<sup>F87</sup>1~~(1) The Secretary of State may by order amend paragraph 1(2A) so as to remove a provision from the list or add a provision to the list; but the list must contain only provisions mentioned in the first column of the Table in section 1(1) of the Criminal Justice and Police Act 2001.]

- (2) The Secretary of State shall not make an order containing (with or without any other provision) any provision authorised by this paragraph unless a draft of that order has been laid before Parliament and approved by a resolution of each House.]

**Textual Amendments**

- F85** Sch. 4 para. 15A inserted (20.1.2004) by [Anti-social Behaviour Act 2003 \(c. 38\)](#), ss. 89(4), 93; S.I. 2003/3300, **art. 2(f)(iv)**
- F86** Words in Sch. 4 para. 15A heading substituted (1.7.2005 for certain purposes and 1.8.2005 otherwise) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 122(3)(b), 178; S.I. 2005/1521, **art. 3(1)(h)**; S.I. 2005/2026, **art. 2(d)**
- F87** Sch. 4 para. 15A(1) substituted (1.7.2005 for certain purposes and 1.8.2005 otherwise) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 122(3)(b), 178; S.I. 2005/1521, **art. 3(1)(h)**; S.I. 2005/2026, **art. 2(d)**

**Status:**

Point in time view as at 26/05/2016.

**Changes to legislation:**

There are currently no known outstanding effects for the Police Reform Act 2002, Part 1.