

Status: Point in time view as at 22/11/2012.

Changes to legislation: There are currently no known outstanding effects for the Police and Justice Act 2006, Cross Heading: Police Act 1996 (c. 16). (See end of Document for details)

SCHEDULES

SCHEDULE 1

NATIONAL POLICING IMPROVEMENT AGENCY

PART 7

CONSEQUENTIAL AMENDMENTS

Police Act 1996 (c. 16)

61 The Police Act 1996 is amended as follows.

Commencement Information

II Sch. 1 para. 61 in force at 1.4.2007 by [S.I. 2007/709](#), **art. 3(a)** (with [arts. 6, 7](#))

- 62 (1) Section 39A (power of Secretary of State to issue codes of practice for chief officers) is amended as follows.
- (2) In subsection (3) (preparation of drafts and revisions)—
- (a) for “Central Police Training and Development Authority” there is substituted “National Policing Improvement Agency”, and
- (b) for “that Authority” there is substituted “that Agency”.
- (3) In subsection (4) (consultation), for “Central Police Training and Development Authority” there is substituted “National Policing Improvement Agency”.

Commencement Information

II Sch. 1 para. 62 in force at 1.4.2007 by [S.I. 2007/709](#), **art. 3(a)** (with [arts. 6, 7](#))

- 63 (1) Section 53A (regulation of procedures and practices of police forces) is amended as follows.
- (2) In subsection (2) (advice), for paragraph (b) there is substituted—
- “(b) the National Policing Improvement Agency.”
- (3) In subsection (5) (consultation), for “Central Police Training and Development Authority” there is substituted “National Policing Improvement Agency”.
- (4) In subsection (6)(a) (consideration of advice etc), for “Central Police Training and Development Authority” there is substituted “National Policing Improvement Agency”.

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I3 Sch. 1 para. 63 in force at 1.4.2007 by [S.I. 2007/709](#), **art. 3(a)** (with [arts. 6, 7](#))

- 64 In section 57(5) (consultation about regulations requiring police forces to use specified facilities or services), for “Police Information Technology Organisation” there is substituted “National Policing Improvement Agency”.

Commencement Information

I4 Sch. 1 para. 64 in force at 1.4.2007 by [S.I. 2007/709](#), **art. 3(a)** (with [arts. 6, 7](#))

- 65 In section 59 (Police Federations), after subsection (7) there is inserted—
- “(7A) For the purposes of subsection (1), a member of the staff of the National Policing Improvement Agency who is—
- (a) a constable, and
- (b) an employee of the Agency,
- shall be treated as a member of a police force in England and Wales, and references in this section to police service shall be construed accordingly.”

Commencement Information

I5 Sch. 1 para. 65 in force at 1.4.2007 by [S.I. 2007/709](#), **art. 3(a)** (with [arts. 6, 7](#))

- 66 In section 61(1) (Police Negotiating Board), before paragraph (c) there is inserted—
- “(bb) the members of the staff of the National Policing Improvement Agency who are constables,”.

Commencement Information

I6 Sch. 1 para. 66 in force at 1.4.2007 by [S.I. 2007/709](#), **art. 3(a)** (with [arts. 6, 7](#))

- 67 (1) Section 62 (functions of the Police Negotiating Board) is amended as follows.
- (2) In subsection (1) (duty to consult Board before making regulations about certain matters), after paragraph (c) there is inserted “or
- (d) regulations under paragraph 19 of Schedule 1 to the Police and Justice Act 2006 (regulations as to constables who are members of the staff of the National Policing Improvement Agency),”.
- (3) Before subsection (2) there is inserted—
- “(1D) Before issuing a document under paragraph 18 of Schedule 1 to the Police and Justice Act 2006 (rules and principles for contents of contracts of employment of constables employed as members of the staff of the National Policing Improvement Agency), the Secretary of State shall—
- (a) consult the Police Negotiating Board for the United Kingdom about any provision in the document which relates to any of the matters mentioned in section 61(1) (other than pensions), and
- (b) take into consideration any recommendation made by the Board.

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(1E) Before determining the terms and conditions on which a constable is to be appointed to the staff of the National Policing Improvement Agency as an employee of the Agency, the Secretary of State (where the constable is to be appointed as the chief executive of the Agency) or the Agency (in any other case) shall—

- (a) consult the Police Negotiating Board for the United Kingdom about any term or condition which relates to any of the matters mentioned in section 61(1) (other than pensions), and
- (b) take into consideration any recommendation made by the Board.”

(4) In subsection (2) (arrangements under section 61(3) apply in relation to recommendations under section 62), for “subsection (1) or (1A)” there is substituted “subsection (1), (1A), (1D) or (1E)”.

Commencement Information

I7 Sch. 1 para. 67 in force at 1.4.2007 by [S.I. 2007/709](#), **art. 3(a)** (with [arts. 6, 7](#))

68 (1) Section 63 (Police Advisory Boards) is amended as follows.

(2) Before subsection (2) there is inserted—

“(1C) The Police Advisory Board for England and Wales shall also advise the Secretary of State on general questions affecting members of the staff of the National Policing Improvement Agency who are constables.”

(3) In subsection (3) (Board to be consulted on certain regulations), after paragraph (b) there is inserted “or

- (c) regulations under paragraph 19 of Schedule 1 to the Police and Justice Act 2006 (regulations as to constables who are members of the staff of the National Policing Improvement Agency), other than regulations with respect to any of the matters mentioned in section 61(1),”.

Commencement Information

I8 Sch. 1 para. 68 in force at 1.4.2007 by [S.I. 2007/709](#), **art. 3(a)** (with [arts. 6, 7](#))

69 In section 64 (membership of trade unions), before subsection (5) there is inserted—

“(4C) This section applies to a member of the staff of the National Policing Improvement Agency who is—

- (a) a constable, and
- (b) an employee of the Agency,

as it applies to a member of a police force, and references to a police force or to service in a police force shall be construed accordingly.

(4D) In its application by virtue of subsection (4C), subsection (2) shall have effect as if the reference to the chief officer of police were a reference to the chief executive of the National Policing Improvement Agency.”

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I9 Sch. 1 para. 69 in force at 1.4.2007 by [S.I. 2007/709](#), **art. 3(a)** (with arts. 6, 7)

- 70 In section 90(4) (impersonation etc: interpretation), for the words after paragraph (a) and before paragraph (b) (paragraph (aa) having been superseded by section 68(2) of the Railways and Transport Safety Act 2003) there is substituted—
- “(ab) “member of a police force” includes a member of the staff of the National Policing Improvement Agency who is a constable, and”.

Commencement Information

I10 Sch. 1 para. 70 in force at 1.4.2007 by [S.I. 2007/709](#), **art. 3(a)** (with arts. 6, 7)

- 71 In section 91(2) (offence under subsection (1) of causing disaffection etc amongst members of police forces applies also in relation to certain other police personnel), after paragraph (a) there is inserted—
- “(aa) members of the staff of the National Policing Improvement Agency who are constables,”.

Commencement Information

I11 Sch. 1 para. 71 in force at 1.4.2007 by [S.I. 2007/709](#), **art. 3(a)** (with arts. 6, 7)

- 72 (1) Section 97 (police officers engaged on service outside their force) is amended as follows.
- (2) In subsection (1) (meaning of “relevant service”), after paragraph (cf) there is inserted—
- “(cg) temporary service with the National Policing Improvement Agency on which a person is engaged with the consent of the appropriate authority;”.
- (3) In subsections (6)(a) and (8), after “(cf)” there is inserted “, (cg)”.

Commencement Information

I12 Sch. 1 para. 72 in force at 1.4.2007 by [S.I. 2007/709](#), **art. 3(a)** (with arts. 6, 7)

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