

2019 No. 28

CRIMINAL LAW

**The Police Act 1997 (Criminal Records) (Fees) (Amendment)
Regulations (Northern Ireland) 2019**

Made - - - - *4th March 2019*

Coming into operation - *1st April 2019*

The Department of Justice makes the following Regulations in exercise of the powers conferred by sections 112(1)(b), 113A(1)(b), 113B(1)(b), 120ZA(1) and (2)(a) and 125 of the Police Act 1997(a) as modified by section 126A(b) of that Act.

Citation and commencement

1. These Regulations may be cited as the Police Act 1997 (Criminal Records) (Fees) (Amendment) Regulations (Northern Ireland) 2019 and shall come into operation on 1st April 2019.

Amendment of the Police Act 1997 (Criminal Records) (Disclosure) Regulations (Northern Ireland) 2008

2.—(1) The Police Act 1997 (Criminal Records) (Disclosure) Regulations (Northern Ireland) 2008(c) are amended as follows.

(2) For Regulation 4(1) (Fees for disclosures) substitute—

“4.—(1) The fee payable in relation to an application for the issue of a basic or standard disclosure is £18 and the fee payable in relation to an application for an enhanced disclosure is £33.”.

Amendment of the Police Act 1997 (Criminal Records) (Registration) Regulations (Northern Ireland) 2007

3.—(1) The Police Act 1997 (Criminal Records) (Registration) Regulations (Northern Ireland) 2007(d) are amended as follows.

(2) For Regulation 5 (Fees on application for inclusion on the register) substitute—

“5. The fee payable by a person on application for inclusion on the register shall be £195.”.

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- (a) 1997 c.50. Sections 113A and 113B were inserted by section 163(2) of the Serious and Organised Crime Act 2005 (2005 c.15).
- (b) Section 126A was inserted by Article 12 of and paragraph 38 to Schedule 14 to S.I. 2010/976.
- (c) S.I. 2008/542. Relevant amendments were made by S.I. 2009/3334, S.R. 2010 No.229 and S.R. 2014 No.265; the Secretary of State's functions under these Regulations are transferred to the Department of Justice by Article 17 of S.I. 2010/976.
- (d) S.I. 2007/3283. The Secretary of State's functions under these Regulations are transferred to the Department of Justice by Article 17 of S.I. 2010/976.

(3) For Regulation 6(1) and (2) (Additional Fees) substitute—

“**6.**—(1) There shall be payable by a registered person which is a body a fee of £13 in respect of the second and each subsequent name entered in the register in accordance with regulation 3(e)(ii) above.

(2) There shall be payable by a registered person which is a statutory office-holder a fee of £13 in respect of the second and each subsequent name entered in the register in accordance with regulation 3(f)(i) above.”.

Sealed with the Official Seal of the Department of Justice on 4th March 2019



Peter May
A senior officer of the Department of Justice

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Police Act 1997 (Criminal Records) (Disclosure) Regulations (Northern Ireland) 2008 (the disclosure regulations) and the Police Act 1997 (Criminal Records) (Registration) Regulations (Northern Ireland) 2007 (the registration regulations).

The effect of the amendment to regulation 4 of the disclosure regulations is to reduce the fee for a basic and standard disclosure from £26 to £18.

The effect of the amendment to regulation 5 of the registration regulations is to increase the fee for inclusion of a person within the register from £150 to £195. The effect of the amendment to regulation 6(1) and (2) is to increase the fee for inclusion in the register of additional persons from £10 to £13.

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£4.90

NI201903041024 03/2019 19585

<http://www.legislation.gov.uk/id/nisr/2019/28>

ISBN 978-0-33-801045-2



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