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DRAFT STATUTORY INSTRUMENTS

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**2006 No.**

**The Serious Organised Crime and Police Act  
2005 (Application and Modification of Certain  
Enactments to Designated Staff of SOCA) Order 2006**

**PART 2**

**DESIGNATION WITH THE POWERS OF A CONSTABLE**

**Application of the Anti-social Behaviour Act 2003 to designated persons**

4.—(1) Part 1 of the Anti-social Behaviour Act 2003 (premises where drugs are used unlawfully)(1) applies in relation to—

- (a) designated persons, and
- (b) the exercise of powers by such persons under Chapter 2 of Part 1 of the 2005 Act,

with the modifications set out in this article.

(2) In sections 1(1) (closure notice) and 5(2) (extension and discharge of closure order) for the words “a police officer not below the rank of superintendent” there is substituted “a designated person not below grade 2”.

(3) For section 9(2) (exemption from liability for certain damages) there is substituted—

“(2) SOCA is not liable for relevant damages in respect of anything done or omitted to be done by a designated person under its direction or control in the performance or purported performance of the designated person’s functions (by virtue of section 46 of the Serious Organised Crime and Police Act 2005) under this Part.”.

(4) After section 11(10) (interpretation) insert—

“(10A) In this Part “designated person” means a member of the staff of SOCA designated as having the powers of a constable under section 43(1)(a) of the Serious Organised Crime and Police Act 2005.”.