



# Police and Criminal Evidence Act 1984

## 1984 CHAPTER 60

### PART X

#### POLICE—GENERAL

<sup>F1</sup>106 .....

#### Textual Amendments

<sup>F1</sup> S. 106 repealed (22.8.1996) by 1996 c. 16, ss. 103(3), 104(1), Sch. 9 Pt.1

#### 107 Police officers performing duties of higher rank.

- (1) For the purpose of any provision of this Act or any other Act under which a power in respect of the investigation of offences or the treatment of persons in police custody is exercisable only by or with the authority of a police officer of at least the rank of superintendent, an officer of the rank of chief inspector shall be treated as holding the rank of superintendent if
  - <sup>F2</sup>(a) he has been authorised by an officer holding a rank above the rank of superintendent to exercise the power or, as the case may be, to give his authority for its exercise, or
  - (b) he is acting during the absence of an officer holding the rank of superintendent who has authorised him, for the duration of that absence, to exercise the power or, as the case may be, to give his authority for its exercise.]
- (2) For the purpose of any provision of this Act or any other Act under which such a power is exercisable only by or with the authority of an officer of at least the rank of inspector, an officer of the rank of sergeant shall be treated as holding the rank of inspector if he has been authorised by an officer of at least the rank of [<sup>F3</sup>superintendent] to exercise the power or, as the case may be, to give his authority for its exercise.

*Status: Point in time view as at 03/05/2023.*

*Changes to legislation: Police and Criminal Evidence Act 1984, Part X is up to date with all changes known to be in force on or before 10 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

**Textual Amendments**

- F2** Words in s. 107(1) substituted (1.4.1995) by 1994 c. 29, s. 44, **Sch. 5 Pt. II para. 35(2)**; S.I. 1994/3262, **art. 4**, Sch.
- F3** Word in s. 107(2) substituted (1.4.1995) by 1994 c. 29, s. 44, **Sch. 5 Pt. II para. 35(3)**; S.I. 1994/3262, **art. 4**, Sch.

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

- C1** S. 107 applied with modifications by S.I. 1985/1800, arts. 3–11, Schs. 1, 2 (as amended by S.I. 1987/439, **art. 3**)
- C2** S. 107 applied (with modifications) (4.11.2015) by The Police and Criminal Evidence Act 1984 (Application to Revenue and Customs) Order 2015 (S.I. 2015/1783), arts. 1, 3(1), **Sch. 1** (with art. 3(2), (3), 4–19, Sch. 2)
- C3** S. 107(2) applied (with modifications) (25.6.2013) by The Police and Criminal Evidence Act 1984 (Application to immigration officers and designated customs officials in England and Wales) Order 2013 (S.I. 2013/1542), arts. 1, 12(2)–(4), **Sch. 2** (with arts. 13–31)
- C4** S. 107(2) applied (with modifications) (25.6.2013) by The Police and Criminal Evidence Act 1984 (Application to immigration officers and designated customs officials in England and Wales) Order 2013 (S.I. 2013/1542), arts. 1, 3(2)–(4), **Sch. 1** (with arts. 4–11)

**108 Deputy chief constables.**

**F4** .....

**Textual Amendments**

- F4** S. 108 repealed (21.7.2008) by Statute Law (Repeals) Act 2008 (c. 12), s. 1(1), **Sch. 1 Pt. 6**

**F5 109** .....

**Textual Amendments**

- F5** S. 109 repealed (22.8.1996) by 1996 c. 16, ss. 103(3), 104(1), **Sch. 9 Pt. I**

**110 Functions of special constables in Scotland.**

**F6** .....

**Textual Amendments**

- F6** S. 110 repealed (21.7.2008) by Statute Law (Repeals) Act 2008 (c. 12), s. 1(1), **Sch. 1 Pt. 6**

**111 Regulations for Police Forces and Police Cadets—Scotland.**

- (1) In section 26 to the <sup>M1</sup>Police (Scotland) Act 1967 (regulations as to government and administration of police forces)—
  - (a) after subsection (1) there shall be inserted the following subsection—

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“(1A) Regulations under this section may authorise the Secretary of State, the police authority or the chief constable to make provision for any purpose specified in the regulations.”; and

(b) at the end there shall be inserted the following subsection—

“(10) Any statutory instrument made under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.”.

(2) In section 27 of the said Act of 1967 (regulations for police cadets) in subsection (3) for the word “(9)” there shall be substituted the words “(1A), (9) and (10)”.

**Marginal Citations**

**M1** 1967 c. 77.

**F7** 112 .....

**Textual Amendments**

**F7** S. 112 repealed (22.8.1996) by 1996 c. 16, ss. 103(3), 104(1), Sch. 9 Pt.I

**Status:**

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