



# Police Act 1997

## CHAPTER 50

### POLICE ACT 1997

#### PART I

##### THE NATIONAL CRIMINAL INTELLIGENCE SERVICE

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- 4 Service plans.
- 5 Annual reports.

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- 7 Removal of Director General by the Authority.
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- 9 Members of NCIS.
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*Status: Point in time view as at 01/04/2003.*

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- 16A Budget statement
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- 21A Accounts

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- 43 Causing disaffection.
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- 45 Orders and regulations.
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*The Service Authority*

- 47 The Service Authority for the National Crime Squad.

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- 49 Objectives.
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*Director General and other members*

- 52 Appointment of Director General.
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*Functions of Director General*

- 56 General function of Director General.
- 57 Reports by Director General to the Authority.

*Service Authority's officers and employees*

- 58 Officers and employees.
- 59 Appointment of clerk.
- 60 Appointment of persons not employed by the NCS Service Authority.

*Financial provisions*

- 61 NCS service fund.
- 61A Budget statement
- 62 Grants from the Secretary of State
- 62A Provision supplemental to section 62
- 63 Initial financing of NCS Service Authority.
- 64 Charges.
- 65 Acceptance of gifts and loans.
- 66 Pensions and gratuities.
- 66A Accounts
- 67 Revenue accounts and capital finance.
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### *Special services*

- 69 Provision of special services.

### *Central supervision and direction*

- 70 General duty of Secretary of State.  
71 Setting of objectives.  
72 Setting of performance targets.  
73 Codes of practice.  
73A Codes of practice for Director General of NCS  
74 Removal of Director General etc.  
75 Power to give directions to NCS Service Authority  
76 Reports from NCS Service Authority.  
76A Power to give directions as to action plans  
76B Procedure for giving directions under sections 75 and 76A  
77 Reports from Director General.  
78 Criminal statistics.  
79 Inquiries.  
79A Regulations for NCS  
80 Regulations as to standard of equipment.  
80A Regulation of procedures and practices

### *Discipline and complaints*

- 81 Discipline regulations.  
82 Appeals.  
83 Complaints.  
84 Information as to the manner of dealing with complaints etc.

### *Miscellaneous*

- 85 Arrangements for consultation.  
86 Liability for wrongful acts of constables etc.  
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- 91 The Commissioners.

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### *General*

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- 108 Interpretation of Part III.

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- 122 Code of practice.
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128 Regulations for special constables and police cadets.  
129 Change of name or description of certain police areas.

#### *Amendments of Police Act (Northern Ireland) 1970*

130 Members of RUC engaged on service outside their force.  
131 Regulations requiring use of specified facilities or services.  
132 Expenditure by Secretary of State for police purposes.

#### *Rehabilitation of Offenders*

133 Rehabilitation of Offenders.

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133A Meaning of “prevention” and “detection”.  
134 Amendments and repeals.  
135 Commencement.  
136 Police: co-operation on implementation.  
137 Extent.  
138 Short title.

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## SCHEDULES

### SCHEDULE 1 — Appointment of Members of the Service Authorities

#### Part I — CORE MEMBERS

1 (1) The NCS Service Authority and the NCIS Service Authority...  
2 (1) At least three, and not more than four, of...  
3 (1) One of the core members shall be appointed by...  
4 (1) One of the core members shall be appointed by...  
5 .....  
6 (1) The relevant number of core members shall be Crown...  
6A One of the core members shall be a customs officer...  
6B (1) The Secretary of State may appoint one of the...

#### Part II — ADDITIONAL MEMBERS OF NCIS SERVICE AUTHORITY

7 Where the NCIS Service Authority is to consist of eleven...  
7A (1) Where an appointment falls to be made in accordance...  
7B (1) Where an appointment falls to be made in accordance...  
8 (1) Where the Authority is to consist of more than...

#### Part III — ADDITIONAL MEMBERS OF NCS SERVICE AUTHORITY

9 (1) Where the NCS Service Authority is to consist of...  
10 (1) Where the Authority is to consist of more than...

#### Part IV — GENERAL

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*Membership of more than one Service Authority by non-core members*

- 11 (1) Nothing in this Schedule shall prevent a member of...

*Local authority members*

- 12 Local authority members of police authorities for areas in England...  
13 The clerk to a Service Authority shall make such arrangements...

*Interpretation*

- 14 In this Schedule “local authority members of police authorities”, in...  
15 In this Schedule— (a) “the relevant police officers” shall be...  
16 For the purposes of this Schedule, the Commissioner of Police...

SCHEDULE 2 — Other Provisions about Members of Service Authorities

*Disqualification*

- 1 A person shall be disqualified for being appointed as a...  
2 (1) A person shall be disqualified for being appointed as...  
3 (1) Subject to sub-paragraphs (2) and (3), a person shall...

*Tenure of office*

- 4 Subject to the following paragraphs (and to the provisions of...  
5 A person shall be appointed to hold office as a...  
6 (1) A person may at any time—  
7 (1) A member of a police authority appointed to be...  
8 (1) Subject to sub-paragraph (3), a member of a Service...  
9 (1) A member of a Service Authority appointed under paragraph...  
10 Where a core member appointed under Part I of Schedule...

*Chairman*

- 11 (1) On being notified of a casual vacancy occurring in...

*Eligibility for re-appointment*

- 12 A person who ceases to be a member or to...

*Eligibility to vote*

- 13 A member of a Service Authority appointed under paragraph 3,...  
14 A member of a Service Authority appointed under paragraph 6,...

*Validity of acts*

- 15 The acts and proceedings of any person appointed to be...  
16 The proceedings of a Service Authority shall not be invalidated...

*Allowances*

- 17 (1) Subject to sub-paragraph (2), a Service Authority may make...  
17A *Allowances for members etc.*

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### *Co-opted Members*

- 18 (1) Paragraphs 1 to 3 apply to a person co-opted...

### *Interpretation*

- 19 For the purposes of this Schedule— (a) “Service Authority” means—...

## SCHEDULE 2A — Further provisions about Service Authorities

- 1 *Powers*
- 2 *Committees*
- 3 *Proceedings*
- 4 (1) Subject to paragraph (1A), each Service Authority shall make...
- 5 *Arrangements for discharge of functions by Service Authorities*
- 6 (1) A Service Authority may discharge any of its functions...
- 7 References in paragraphs 5 and 6 to the discharge of...
- 8 (1) For the purposes of paragraphs 5 and 6, “...
- 9 *Interpretation*

## SCHEDULE 3 — Levies Issued by NCIS Service Authority

### *Decisions of Service Authority*

- 1 (1) Where an order under section 17 requires the NCIS...

### *Approval by Secretary of State*

- 2 (1) Subject to paragraph 3, a levy shall not be...

### *Directions*

- 3 (1) Where the Secretary of State does not approve, under...

### *Notices*

- 4 (1) The NCIS Service Authority shall, within the prescribed period,...

### *Interpretation*

- 5 In this Schedule “prescribed” means prescribed by an order under...

## SCHEDULE 4 — Subject-Matter of Orders About NCIS Service Authority

## SCHEDULE 5 — Levies Issued by NCS Service Authority

### *Decisions of Service Authority*

- 1 (1) Where an order under section 62 requires the NCS...

### *Approval by Secretary of State*

- 2 (1) Subject to paragraph 3, a levy shall not be...

### *Directions*

- 3 (1) Where the Secretary of State does not approve, under...



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*Notices*

- 4 (1) The NCS Service Authority shall, within the prescribed period,...

*Interpretation*

- 5 In this Schedule “prescribed” means prescribed by an order under...

SCHEDULE 6 — Application to NCS Service Authority of Local Government Enactments

*Local Government Act 1972 (c. 70)*

- 1 In section 94 of the Local Government Act 1972 (disability...  
2 In section 98— (a) in subsection (1A) (application to joint...  
3 In section 99 (meetings and proceedings of local authorities) after...  
4 (1) Section 100J (application to joint authorities etc. of provisions...  
5 (1) Section 107 (application to police authorities of provisions relating...  
6 (1) Section 146A (application to police authorities of miscellaneous powers...  
7 In section 223 (appearance of local authorities in legal proceedings),...  
8 In section 228 (inspection of documents), in subsection (7A), after...  
9 The words “and the Service Authority for the National Crime...  
10 (1) Schedule 12 (meetings and proceedings of local authorities) shall...

*Local Government Act 1974 (c. 7)*

- 11 In section 25 of the Local Government Act 1974 (authorities...

*Local Government (Miscellaneous Provisions) Act 1976 (c. 57)*

- 12 In section 30 of the Local Government (Miscellaneous Provisions) Act...  
13 In section 44 (interpretation), in subsection (1), in paragraph (a)...

*Local Government, Planning and Land Act 1980 (c. 65)*

- 14 In section 20 of the Local Government, Planning and Land...  
15 In section 99 (directions to dispose of land), in subsection...  
16 In Schedule 16 (bodies to whom provisions of Part X...

*Local Government (Miscellaneous Provisions) Act 1982 (c. 30)*

- 17 In section 33 of the Local Government (Miscellaneous Provisions) Act...  
18 In section 41 (lost and uncollected property), in subsection (13),...

*Local Government Finance Act 1982 (c. 32)*

- 19 .....  
20 .....  
21 .....  
22 .....

*Local Government Act 1986 (c. 10)*

- 23 In section 6 of the Local Government Act 1986 (interpretation...

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24 In section 9 (interpretation of provisions relating to the transfer...

*Local Government Act 1988 (c. 9)*

25 In section 1 of the Local Government Act 1988 (defined...

26 In Schedule 2, in the list of public authorities to...

*Local Government Finance Act 1988 (c. 41)*

27 In section 112 of the Local Government Finance Act 1988...

28 In section 114 (functions of the chief finance officer as...

*Local Government and Housing Act 1989 (c. 42)*

29 In section 21 of the Local Government and Housing Act...

30 In section 67 (application of provisions relating to companies in...

31 In section 155 (emergency assistance to local authorities), after subsection...

32 In section 157 (commutation of, and interest on, periodic payments...

SCHEDULE 7 —

*Investigation*

1 Where a Commissioner appointed under section 91(1)(b) is required by...

2 (1) In a case where the Commissioner determines that a...

*Report of conclusions*

3 (1) If the Commissioner makes a determination in favour of...

4 Where— (a) the Chief Commissioner receives a report of the...

*Remedies*

5 (1) Where the Commissioner gives a complainant notice that a...

6 Any compensation which the Commissioner directs the authorising officer to...

*Interpretation*

7 The references in this Schedule to the authorising officer who...

SCHEDULE 8 — The Police Information Technology Organisation

*Constitution*

1 (1) Subject to sub-paragraph (2A)The Police Information Technology Organisation (“the...

*Members*

2 (1) Subject to the provisions of this Schedule, a member...

3 (1) The Organisation shall pay to its members such remuneration...

*Staff, &c.*

4 (1) The Organisation shall not appoint employees except with the...

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- 5 (1) The Organisation shall pay to its employees such remuneration...  
6 (1) Employment with the Organisation shall be included among the...  
7 (1) The Organisation shall be liable in respect of any...

*Committees*

- 8 (1) No person who is not a member of the...

*Proceedings*

- 9 Subject to the provisions of this Schedule, the Organisation shall...  
10 (1) The Organisation shall make provision for a quorum for...  
11 The validity of the proceedings of the Organisation (or any...

*Evidence*

- 12 A document purporting to be— (a) duly executed under the...

*Money*

- 13 The Secretary of State may make payments to the Organisation...  
13A (1) The Scottish Ministers may make payments to the Organisation...  
14 (1) The Organisation may impose such charges as it considers...  
15 The Organisation may, for purposes related to information technology,  
make...  
16 (1) The Organisation shall keep proper accounts and records in...

*Annual report*

- 17 (1) As soon as possible after the end of each...

*Status of the Organisation*

- 18 The Organisation shall not be regarded as the servant or...

SCHEDULE 9 — Minor and Consequential Amendments

*Explosives Act 1875 (c. 17)*

- 1 In the Explosives Act 1875, at the end of section...

*Civil Defence Act 1948 (c. 5)*

- 2 In section 9 of the Civil Defence Act 1948 (interpretation...

*Public Records Act 1958 (c. 51)*

- 3 In Schedule 1 to the Public Records Act 1958 (definition...

*Trustee Investments Act 1961 (c. 62)*

- 4 In section 11 of the Trustee Investments Act 1961 (local...  
5 In Schedule 1, in Part II (narrower-range investments requiring  
advice),...

*Offices, Shops and Railway Premises Act 1963 (c. 41)*

- 6 In section 90 of the Offices, Shops and Railway Premises...

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*Parliamentary Commissioner Act 1967 (c. 13)*

- 7 In Schedule 2 to the Parliamentary Commissioner Act 1967  
(departments...)

*Police (Scotland) Act 1967 (c. 77)*

- 8 The Police (Scotland) Act 1967 shall be amended as follows....  
9 In section 27(3) (regulations as to police cadets), after “(1A),”...  
10 At the end of section 28 (regulations as to standards...  
11 In section 33 (inspectors of constabulary), in each of subsections...  
12 At the end of section 36 (common services) there shall...  
13 In section 38 (constables engaged on central service and certain...  
14 In section 38A (constables engaged on service outside their force)—...  
15 In section 39 (liability for wrongful acts of constables), in...

*Leasehold Reform Act 1967 (c. 88)*

- 16 In section 28 of the Leasehold Reform Act 1967 (retention...

*Public Expenditure and Receipts Act 1968 (c. 14)*

- 17 In section 4 of the Public Expenditure and Receipts Act...

*Firearms Act 1968 (c. 27)*

- 18 In section 54 of the Firearms Act 1968 (application of...

*Post Office Act 1969 (c. 48)*

- 19 .....

*Employers’ Liability (Compulsory Insurance) Act 1969 (c. 57)*

- 20 In section 3 of the Employers’ Liability (Compulsory Insurance) Act...

*Police Act (Northern Ireland) 1970 (c. 9 (N.I.))*

- 21 .....  
22 .....

*Local Authorities (Goods and Services) Act 1970 (c. 39)*

- 23 In section 1 of the Local Authorities (Goods and Services)...

*Superannuation Act 1972 (c. 11)*

- 24 The following entry shall be inserted at the appropriate place...

*Employers’ Liability (Defective Equipment and Compulsory  
Insurance) (Northern Ireland) Order 1972 (NI 6)*

- 25 In Article 7 of the Employers’ Liability (Defective Equipment and...

*Employment Agencies Act 1973 (c. 35)*

- 26 In section 13 of the Employment Agencies Act 1973, in...

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*Juries Act 1974 (c. 23)*

27 In Part I of Schedule 1 to the Juries Act...

*District Courts (Scotland) Act 1975 (c. 20)*

28 In subsection (2) of section 12 of the District Courts...

*House of Commons Disqualification Act 1975 (c. 24)*

29 (1) The House of Commons Disqualification Act 1975 shall be...

*Northern Ireland Assembly Disqualification Act 1975 (c. 25)*

30 (1) The Northern Ireland Assembly Disqualification Act 1975 shall be...

*Sex Discrimination Act 1975 (c. 65)*

31 In section 17 of the Sex Discrimination Act 1975 (police),...

*Fair Employment (Northern Ireland) Act 1976 (c.25)*

32 In section 53 of the Fair Employment (Northern Ireland) Act...

*Police Pensions Act 1976 (c. 35)*

33 (1) Section 11 of the Police Pensions Act 1976 (interpretation)...

*Local Government (Miscellaneous Provisions) Act 1976 (c. 57)*

34 In each of sections 51 and 59 of the Local...

*Race Relations Act 1976 (c. 74)*

35 .....

36 .....

*Sex Discrimination (Northern Ireland) Order 1976 (NI 15)*

37 In Article 19 of the Sex Discrimination (Northern Ireland) Order...

*Rent (Agriculture) Act 1976 (c. 80)*

38 In section 5 of the Rent (Agriculture) Act 1976 (no...

*Rent Act 1977 (c. 42)*

39 In section 14 of the Rent Act 1977 (landlord's interest...

*Justices of the Peace Act 1979 (c. 55)*

40 In section 64 of the Justices of the Peace Act...

*Law Reform (Miscellaneous Provisions) (Scotland) Act 1980 (c. 55)*

41 In Part I of Schedule 1 to the Law Reform...

*Finance Act 1981 (c. 35)*

42 In section 107 of the Finance Act 1981 (sale of...

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*Acquisition of Land Act 1981 (c. 67)*

43 In section 17 of the Acquisition of Land Act 1981...

*Stock Transfer Act 1982 (c. 41)*

44 In Schedule 1 to the Stock Transfer Act 1982 (securities...

*County Courts Act 1984 (c. 28)*

45 In section 60 of the County Courts Act 1984 (right...

*Police and Criminal Evidence Act 1984 (c. 60)*

46 In section 5 of the Police and Criminal Evidence Act...

47 In section 55 (intimate searches), after subsection (14) there shall...

*Prosecution of Offences Act 1985 (c. 23)*

48 In section 3 of the Prosecution of Offences Act 1985...

*Housing Act 1985 (c. 68)*

49 In section 4 of the Housing Act 1985 (interpretation), in...

*Housing Associations Act 1985 (c. 69)*

50 In section 106 of the Housing Associations Act 1985 (minor...

*Landlord and Tenant Act 1985 (c. 70)*

51 In section 38 of the Landlord and Tenant Act 1985...

*Landlord And Tenant Act 1987 (c. 31)*

52 In section 58 of the Landlord and Tenant Act 1987,...

*Income and Corporation Taxes Act 1988 (c.1)*

53 In section 842A of the Income and Corporation Taxes Act...

*Dartford-Thurrock Crossing Act 1988 (c. 20)*

54 In section 19 of the Dartford-Thurrock Crossing Act 1988 (exemption...

*Local Government Finance Act 1988 (c. 41)*

55 In section 64 of the Local Government Finance Act 1988,...

56 In section 65A (which was inserted by section 3 of...

*Housing Act 1988 (c. 50)*

57 In Schedule 1 to the Housing Act 1988 (tenancies which...

*Road Traffic Act 1988 (c. 52)*

58 In section 124 of the Road Traffic Act 1988 (exemption...

59 In section 144 (exceptions from requirement of third-party insurance or...

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*Security Service Act 1989 (c. 5)*

- 60 In section 1 of the Security Service Act 1989, in...
- 61 In section 2 (which imposes duties on the Director General...

*Official Secrets Act 1989 (c. 6)*

- 62 In section 12 of the Official Secrets Act 1989, in...

*Town and Country Planning Act 1990 (c. 8)*

- 63 In section 252 of the Town and Country Planning Act...

*Aviation and Maritime Security Act 1990 (c. 31)*

- 64 In section 22 of the Aviation and Maritime Security Act...

*Road Traffic Act 1991 (c. 40)*

- 65 Section 47 of the Road Traffic Act 1991 (applications for...

*Local Government Finance Act 1992 (c. 14)*

- 66 In section 19 of the Local Government Finance Act 1992...
- 67 In section 32 (calculation of budget requirement by billing authorities),...
- 68 (1) Section 43 (calculation of budget requirement by major precepting...

*Tribunals and Inquiries Act 1992 (c.53)*

- 69 (1) In section 7 of the Tribunals and Inquiries Act...
- 70 In Schedule 1 to that Act, in Part I, at...

*Criminal Appeals Act 1995 (c. 35)*

- 71 (1) Section 22 of the Criminal Appeals Act 1995 (meaning...

*Police Act 1996 (c. 16)*

- 72 The Police Act 1996 shall be amended as follows.
- 73 At the end of section 23 (collaboration agreements) there shall...
- 74 At the end of section 24 (mutual aid) there shall...
- 75 At the end of section 53 (regulations as to standards...
- 76 In section 54 (appointment and functions of inspectors of constabulary),...
- 77 In section 55 (publication of reports), after subsection (6) there...
- 78 (1) Section 57 (common services) shall be amended as follows....
- 79 In section 59 (Police Federations), after subsection (7) there shall...
- 80 In section 60 (regulations for police federations), after subsection (2)...
- 81 In section 61 (Police Negotiating Board for the United Kingdom),...
- 82 (1) Section 62 (functions of Police Negotiating Board) shall be...
- 83 (1) Section 63 (Police Advisory Boards) shall be amended as...
- 84 In section 64 (membership of trade unions), after subsection (4)...
- 85 In section 88 (liability for wrongful acts of constables), in...
- 86 (1) Section 97 (police officers engaged on service outside their...
- 87 (1) Section 98 (cross-border aid) shall be amended as follows....

*Status: Point in time view as at 01/04/2003.*

*Changes to legislation: Police Act 1997 is up to date with all changes known to be in force on or before 17 September 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)*

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*Employment Rights Act 1996 (c. 18)*

88 In section 50 of the Employment Rights Act 1996 (right...

*Housing Grants, Construction and Regeneration Act 1996 (c. 53)*

89 In section 3 of the Housing Grants, Construction and Regeneration...

90 In section 64, in subsection (7) (persons ineligible to participate...

*Juries (Northern Ireland) Order 1996 (NI 6)*

91 In Schedule 2 to the Juries (Northern Ireland) Order 1996...

*Justices of the Peace Act 1997 (c.25)*

92 In section 66 of the Justices of the Peace Act...

SCHEDULE 10 — Repeals



**Status:**

Point in time view as at 01/04/2003.

**Changes to legislation:**

Police Act 1997 is up to date with all changes known to be in force on or before 17 September 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.