



Police Act 1997

1997 CHAPTER 50

PART I

THE NATIONAL CRIMINAL INTELLIGENCE SERVICE

General provisions

22 Collaboration agreements.

- (1) If it appears to the Director General of NCIS and to—
- (a) the chief officers of police of one or more police forces in England and Wales, or
 - (b) the chief constables of one or more police forces in Scotland, or
 - (c) the Chief Constable of the [^{F1}Police Service of Northern Ireland], or
 - (d) the Director General of the National Crime Squad,
- that any police functions can more efficiently or effectively be discharged by members of NCIS and members of their respective forces or, as the case may be, the Squad acting jointly, they may, with the approval of the appropriate authorities, enter into an agreement for that purpose.
- (2) For the purposes of this section, the “appropriate authorities” means the NCIS Service Authority and—
- (a) in relation to an agreement entered by a chief officer of police of a police force in England and Wales, the police authority which maintains that force,
 - (b) in relation to an agreement entered by a chief constable of a police force in Scotland, the police authority which maintains that force or, as the case may be, the police authorities for the police areas comprised in a combined area,
 - (c) in relation to an agreement entered by the Chief Constable of the [^{F1}Police Service of Northern Ireland], the [^{F2}Northern Ireland Policing Board], and
 - (d) in relation to an agreement entered by the Director General of the National Crime Squad, the NCS Service Authority.

Status: Point in time view as at 24/11/2005.

Changes to legislation: Police Act 1997, Cross Heading: General provisions is up to date with all changes known to be in force on or before 25 August 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)

- (3) In subsection (1) “police functions” includes the functions of NCIS and, in the case of an agreement entered by the Director General of the National Crime Squad, the functions of that Squad.
- (4) If it appears to the NCIS Service Authority and to—
- (a) one or more police authorities for areas in England and Wales, or
 - (b) one or more police authorities for areas (or combined areas) in Scotland, or
 - (c) the [^{F2}Northern Ireland Policing Board], or
 - (d) the NCS Service Authority,
- that any premises, equipment or other material or facilities can with advantage be provided jointly for NCIS and the forces maintained by the authorities concerned or, as the case may be, the National Crime Squad, they may enter an agreement for that purpose.
- (5) Any expenditure incurred under an agreement made under this section shall be borne—
- (a) in the case of an agreement under subsection (1), by the appropriate authorities who approved it, and
 - (b) in the case of an agreement under subsection (4), by the parties to it,
- in such proportions as they may agree or as may, in the absence of agreement, be determined by the Secretary of State.
- (6) An agreement under subsection (1) or (4) may be varied or determined by a subsequent agreement.
- (7) If it appears to the Secretary of State that any party should enter an agreement to which subsection (1), (4) or (6) applies, the Secretary of State may, after considering any representations made by the party concerned, direct the party to enter into such an agreement under those provisions as may be specified in the direction.
- (8) The provisions of this section shall not prejudice the power of the NCIS Service Authority, any police authority, the [^{F2}Northern Ireland Policing Board] or the NCS Service Authority to act jointly, or co-operate in any other way, with any person where to do so is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.
- [^{F3}(9) The Secretary of State shall obtain the consent of the Scottish Ministers before making any determination under subsection (5) or a direction under subsection (7) if the determination or direction would have any effect on, or apply to, a police force in Scotland or a police authority which maintains a police force in Scotland or, as the case may be, the police authorities for the police area comprised in a combined area in Scotland.]

Textual Amendments

- F1** Words in s. 22(1)(c)(2)(c) substituted (4.11.2001) by 2000 c. 32, s. 78(1), **Sch. 6 para. 20(2)(b)**; S.R. 2001/396, art. 2, **Sch.**
- F2** Words in s. 22(2)(c)(4)(c)(8) substituted (4.11.2001) by 2000 c. 32, s. 78(1), **Sch. 6 para. 20(3)**; S.R. 2001/396, art. 2, **Sch.**
- F3** S. 22(9) inserted (1.7.1999) by S.I. 1999/1820, arts. 1(2), 4, **Sch. 2 Pt. I para. 131(2)**; S.I. 1998/3178, **art. 3**

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Commencement Information

- II** S. 22 wholly in force at 1.4.1998; s. 22 not in force at Royal Assent, see s. 135; s. 22(4)-(8) in force at 31.10.1997 by S.I. 1997/2390, art. 2 (with arts. 3-7 (of which arts. 4-7 were revoked (1.4.1998) by S.I. 1998/354, art. 7)); s. 22 otherwise in force at 1.4.1998 by S.I. 1998/354, art. 2

23 Aid by and for NCIS.

- (1) The Director General of NCIS may, on the application of—
- the chief officer of police of a police force in England and Wales,
 - the chief constable of a police force in Scotland,
 - the Chief Constable of the [^{F4}Police Service of Northern Ireland], or
 - the Director General of the National Crime Squad,
- provide constables or other assistance for the purposes of enabling the police force or the [^{F4}Police Service of Northern Ireland] or, as the case may, the National Crime Squad to meet any special demand on its resources.
- (2) On the application of the Director General of NCIS—
- the chief officer of police of a police force in England and Wales,
 - the chief constable of a police force in Scotland,
 - the Chief Constable of the [^{F4}Police Service of Northern Ireland], or
 - the Director General of the National Crime Squad,
- may provide constables or other assistance for the purposes of enabling NCIS to meet any special demand on its resources.
- (3) If it appears to the Secretary of State—
- that it is expedient in the interests of public safety or order that a police force, the [^{F4}Police Service of Northern Ireland], the National Crime Squad or NCIS should be reinforced or should receive other assistance for the purpose of enabling it to meet any special demand on its resources, and
 - that satisfactory arrangements under subsection (1) or (2) cannot be made, or cannot be made in time,
- he may direct the Director General of NCIS, the chief officer of police of any police force in England and Wales, the chief constable of any police force in Scotland, the chief constable of the [^{F4}Police Service of Northern Ireland] or the Director General of the National Crime Squad to provide such constables or other assistance for that purpose as may be specified in the direction.
- (4) While a constable is provided under this section for the assistance of a police force, the [^{F4}Police Service of Northern Ireland] or the National Crime Squad he shall, notwithstanding section 10(1), be under the direction and control of the chief officer of that force or, as the case may be, the chief constable of that force or Constabulary or the Director General of that Squad.
- (5) While a constable is provided under this section for the assistance of NCIS he shall, notwithstanding section 56(1) below, section 10(1) of the ^{M1}Police Act 1996, section 17(2) of the ^{M2}Police (Scotland) Act 1967 or [^{F5}section 33(1) of the Police (Northern Ireland) Act 2000] be under the direction and control of the Director General of NCIS.

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(6) For the purposes of this section “constable”, in relation to Northern Ireland, means a member of the [^{F4}Police Service of Northern Ireland] or the [^{F6}Police Service of Northern Ireland Reserve].

[^{F7}(7) The Secretary of State shall obtain consent of the Scottish Ministers before giving any direction under subsection (3) to the chief constable of any police force in Scotland.]

Textual Amendments

- F4** Words in s. 23(1)(c)(2)(c)(3)(a)(4)(6) substituted (4.11.2001) by 2000 c. 32, s. 78(1), **Sch. 6 para. 20(2)(b)**; S.R. 2001/396, art. 2, **Sch.**
- F5** Words in s. 23(5) substituted (4.11.2001) by 2000 c. 32, s. 78(1), **Sch. 6 para. 20(5)**; S.R. 2001/396, art. 2, **Sch.**
- F6** Words in s. 23(6) substituted (4.11.2001) by 2000 c. 32, s. 78(1), **Sch. 6 para. 20(2)(a)**; S.R. 2001/396, art. 2, **Sch.**
- F7** S. 23(7) inserted (1.7.1999) by S.I. 1999/1820, arts. 1(2), 4, **Sch. 2 Pt. I para. 131(3)**; S.I. 1998/3178, **art. 3**

Marginal Citations

- M1** 1996 c. 16.
- M2** 1967 c. 77.

24 Provision of special services.

The Director General of NCIS may, at the request of any person, provide services at any premises or in any locality in the United Kingdom, if those services are consistent with the functions of, and do not prejudice the efficiency or effectiveness of, NCIS.

Status:

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