



Police Act 1997

1997 CHAPTER 50

PART II

THE NATIONAL CRIME SQUAD

Miscellaneous

VALID FROM 01/04/1998

85 Arrangements for consultation.

- (1) The NCS Service Authority shall, after consulting the Director General of the National Crime Squad, make arrangements for obtaining the views of—
 - (a) police authorities for areas in England and Wales,
 - (b) the NCIS Service Authority, and
 - (c) such other persons or bodies as the NCS Service Authority considers appropriate,about the Authority and the National Crime Squad.
- (2) The Director General of the National Crime Squad shall, after consulting the Authority, make arrangements for obtaining the views of—
 - (a) the chief officers of police of police forces in England and Wales,
 - (b) the Director General of NCIS, and
 - (c) such other persons or bodies as the Director General of the National Crime Squad considers appropriate,about the National Crime Squad.
- (3) Arrangements made under subsection (1) or (2) shall be reviewed from time to time.
- (4) If it appears to the Secretary of State that arrangements made for consultation by the NCS Service Authority or the Director General under this section are not adequate for the purposes set out in subsection (1) or (2), he may require the Authority or

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Director General whose duty it is to make the arrangements to submit a report to him concerning the arrangements.

- (5) After considering a report submitted under subsection (4), the Secretary of State may require the Authority or Director General who submitted it to review the arrangements and submit a further report to him concerning them.
- (6) The Authority or Director General shall be under the same duties to consult when reviewing arrangements as when making them.

VALID FROM 01/04/1998

86 Liability for wrongful acts of constables etc.

- (1) The Director General of the National Crime Squad shall be liable in respect of torts committed by constables under his direction and control in the performance or purported performance of their functions in like manner as a master is liable in respect of torts committed by his servants in the course of their employment, and accordingly shall in respect of any such tort be treated for all purposes as a joint tortfeasor.
- (2) There shall be paid out of the NCS service fund—
 - (a) any damages or costs awarded against the Director General in any proceedings brought against him by virtue of this section and any costs incurred by him in any such proceedings so far as not recovered by him in the proceedings, and
 - (b) any sum required in connection with the settlement of any claim made against the Director General by virtue of this section, if the settlement is approved by the NCS Service Authority.
- (3) Any proceedings in respect of a claim made by virtue of this section shall be brought against the Director General of the National Crime Squad for the time being or, in the case of a vacancy in that office, against the person for the time being performing the functions of the Director General; and references in subsections (1) and (2) to the Director General shall be construed accordingly.
- (4) The NCS Service Authority may, in such cases and to such extent as appear to it to be appropriate, pay out of the NCS service fund—
 - (a) any damages or costs awarded against a person to whom this subsection applies in proceedings for a tort committed by that person,
 - (b) any costs incurred and not recovered by such a person in such proceedings, and
 - (c) any sum required in connection with the settlement of a claim that has or might have given rise to such proceedings.
- (5) Subsection (4) applies to a person who is—
 - (a) a member of the National Crime Squad, or
 - (b) a constable for the time being required to serve with the ^{M1}National Crime Squad by virtue of section 23 above or section 24 or 98 of the Police Act 1996.

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Marginal Citations

M1 1996 c. 16.

VALID FROM 01/04/1998

87 Causing disaffection.

Any person who causes, or attempts to cause, or does any act calculated to cause, disaffection amongst the members of the National Crime Squad within section 55(1)(a) or (b), or induces or attempts to induce, or does any act calculated to induce, any such member to withhold his services, shall be guilty of an offence and liable—

- (a) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum, or to both;
- (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine, or to both.

88 Application to NCS Service Authority of local authority enactments.

Schedule 6 (which amends local authority enactments applying to police authorities so as to apply those enactments in a similar way to the NCS Service Authority) shall have effect.

Commencement Information

II S. 88 partly in force; s. 88 not in force at Royal Assent, see s. 135; s. 88 in force for certain purposes at: 23.7.1997 by S.I. 1997/1377, art. 4; 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)); 1.4.1998 by S.I. 1998/354, art. 2

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