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Changes to legislation: Police Act 1997, SCHEDULE 1 is up to date with all changes known to be in force on or before 09 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)

SCHEDULES

SCHEDULE 1

Sections 1(7) and 47(7).

APPOINTMENT OF MEMBERS OF THE SERVICE AUTHORITIES

Commencement Information

- II** Sch. 1 wholly in force at 23.7.1997; Sch. 1 not in force at Royal Assent see s. 135; Sch. 1 in force for certain purposes at 25.6.1997 (and subject to modifications in S.I. 1887/1377, art. 3(3)(4) by s. 135 and S.I. 1997/1377, art. 3(2)(c); Sch. 1 wholly in force at 23.7.1997 by S.I. 1997/1377, art. 4(2)(a)

PART I

CORE MEMBERS

Extent Information

- E1** Sch. 1 Pts. I, IV extend to E.W. only so far as they relate to the Service Authority for the National Crime Squad, see s. 137(2)(c)

- 1 (1) The NCS Service Authority and the NCIS Service Authority shall have a common core membership consisting of ten members (“the core members”) appointed in accordance with this Part.
- 2 (1) Three of the core members shall be persons appointed by the Secretary of State under this paragraph.
- (2) A person shall not be appointed under this paragraph if he is—
- (a) a member of a police force in Great Britain or of the [^{F1}Police Service of Northern Ireland],
 - (b) a Crown servant, or
 - (c) a local authority member of a police authority for an area in England and Wales, a member of a police authority for an area in Scotland or a member of the [^{F2}Northern Ireland Policing Board].
- (3) One of the core members appointed under this paragraph shall be appointed by the Secretary of State to be the chairman of both the NCS Service Authority and the NCIS Service Authority.
- [^{F3}(4) Before making any appointment under this paragraph in relation to the NCIS Service Authority, the Secretary of State shall consult the Scottish Ministers.]

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Textual Amendments

- F1** Words in Sch. 1 para. 2(2)(a) 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 Sch. 1 para. 2(2)(c) substituted (4.11.2001) by 2000 c. 32, s. 78(1), **Sch. 6 para. 20(3)**; S.R. 2001/396, art. 2, **Sch.**
- F3** Sch. 1 para. 2(4) inserted (1.7.1999) by S.I. 1999/1747, arts. 1, 3, **Sch. 18 Pt. II para. 2(26)(a)**; S.I. 1998/3178, **art. 3**

- 3 (1) Two of the core members shall be appointed by the chief officers of police of forces in England and Wales and the Assistant Commissioners of Police of the Metropolis (“the relevant police officers”), from among their number.
- (2) The relevant police officers shall exercise their powers under sub-paragraph (1) so as to ensure that—
 - (a) one of the members appointed by them is the chief constable of a police force maintained under section 2 of the ^{M1}Police Act 1996 (forces in England and Wales outside London), and
 - (b) the other is the Commissioner or an Assistant Commissioner of Police of the Metropolis or the Commissioner of Police for the City of London.

Marginal Citations

- M1** 1996 c. 16.

- 4 [^{F4}(1)] [^{F5}Four] of the core members shall be appointed by the local authority members of police authorities for areas in England and Wales, from among their number.
- [^{F6}(2) Those local authority members shall exercise their powers under sub-paragraph (1) so as to ensure that one of the members appointed by them is a local authority member of the Metropolitan Police Authority.]

Textual Amendments

- F4** Sch. 1 para. 4: "(1)" inserted (3.7.2000) by 1999 c. 29, s. 325, **Sch. 27 para. 113(2)(a)** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**
- F5** Word in Sch. 1 para. 4 substituted (3.7.2000) by 1999 c. 29, s. 325, **Sch. 27 para. 113(2)(b)** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**
- F6** Sch. 1 para. 4(2) inserted (3.7.2000) by 1999 c. 29, s. 325, **Sch. 27 para. 113(3)** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**

^{F7}5

Textual Amendments

- F7** Sch. 1 para. 5 repealed (3.7.2000) by 1999 c. 29, ss. 325, 423, Sch. 27 para. 113(4)(a), **Sch. 34 Pt. VII** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**

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- 6 One of the core members shall be a Crown servant appointed by the Secretary of State under this paragraph.

VALID FROM 01/04/2002

- [^{F8}6A One of the core members shall be a customs officer appointed by the Commissioners of Customs and Excise under this paragraph.]

Textual Amendments

- F8** Sch. 1 Pt. 1 para. 6A inserted (1.4.2002) by 2001 c. 16, ss. 108(3), Sch. 5 Pt. 1 para. 7; S.I. 2002/344, art. 3(e) (with transitional provisions in art. 4)

VALID FROM 01/04/2002

- [^{F9}6B (1) The Secretary of State may appoint one of the core members to be the vice-chairman of both the NCS Service Authority and the NCIS Service Authority.
- (2) Before making an appointment under this paragraph, the Secretary of State shall consult the Scottish Ministers.
- (3) Subject to any provision made by the NCS Service Authority or the NCIS Service Authority under paragraph 3 of Schedule 2A, anything authorised or required to be done by, to or before their chairman may be done by, to or before any vice-chairman of the authority.]

Textual Amendments

- F9** Sch. 1 Pt. 1 para. 6B inserted (1.4.2002) by 2001 c. 16, s. 104(3); S.I. 2002/344, art. 3(b) (with transitional provisions in art. 4)

PART II

ADDITIONAL MEMBERS OF NCIS SERVICE AUTHORITY

- 7 Where the NCIS Service Authority is to consist of nineteen members by virtue of section 1, then in addition to the ten core members—
- one of the members shall be appointed by the chief constables of police forces in Scotland, from among their number;
 - one shall be a person holding at least the rank of deputy chief constable in the [^{F10}Police Service of Northern Ireland], appointed by the Chief Constable of [^{F11}that Police Service];
 - two shall be appointed by the local authority members of police authorities for areas in England and Wales, from among their number;
 - one shall be appointed by the members of police authorities for areas in Scotland, from among their number;

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- (e) one shall be appointed by the members of the [^{F12}Northern Ireland Policing Board], from among their number;
- [^{F13}(f) two shall be Crown servants—
 - (i) one of whom shall be appointed by the Secretary of State under this paragraph; and
 - (ii) one of whom shall be appointed by the Scottish Ministers under this paragraph;]
- (g) one shall be a customs officer appointed by the Commissioners of Customs and Excise.

Textual Amendments

- F10** Words in Sch. 1 para. 7(b) substituted (4.11.2001) by 2000 c. 32, s. 78(1), Sch. 6 para. 20(2)(b); S.R. 2001/396, art. 2, Sch.
- F11** Words in Sch. 1 para. 7(b) substituted (4.11.2001) by 2000 c. 32, s. 78(1), Sch. 6 para. 20(7); S.R. 2001/396, art. 2, Sch.
- F12** Words in Sch. 1 para. 7(e) substituted (4.11.2001) by 2000 c. 32, s. 78(1), Sch. 6 para. 20(3); S.R. 2001/396, art. 2, Sch.
- F13** Sch. 1 para. 7(f) substituted (1.7.1999) by S.I. 1999/1747, arts. 1, 3, Sch. 18 Pt. II para. 2(27); S.I. 1998/3178, art. 3

VALID FROM 01/04/2002

- [^{F14}7A (1) Where an appointment falls to be made in accordance with this paragraph the Secretary of State shall, after consultation with the Scottish Ministers, decide whether the person appointed must be—
- (a) a chief constable of a police force in Scotland,
 - (b) a member of a police authority for an area in Scotland, or
 - (c) a Crown servant.
- (2) Where such a decision is made—
- (a) if the member must be within sub-paragraph (1)(a), he shall be appointed by the chief constables of police forces in Scotland, from among their number;
 - (b) if the member must be within sub-paragraph (1)(b), he shall be appointed by the members of police authorities for areas in Scotland, from among their number; and
 - (c) if the member must be within sub-paragraph (1)(c), he shall be appointed by the Scottish Ministers.]

Textual Amendments

- F14** Sch. 1 Pt. II paras. 7-7B substituted (1.4.2002) for Sch. 1 Pt. II para. 7 by 2001 c. 16, s. 108(3), Sch. 5 Pt. 2 para. 8; S.I. 2002/344, art. 3(e) (with transitional provisions in art. 4)

VALID FROM 01/04/2002

- [^{F15}7B (1) Where an appointment falls to be made in accordance with this paragraph the Secretary of State shall decide whether the person appointed must be—

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- (a) a person holding at least the rank of deputy chief constable in the Police Service of Northern Ireland,
 - (b) a member of the Northern Ireland Policing Board, or
 - (c) a Crown servant.
- (2) Where such a determination is made—
- (a) if the member must be within sub-paragraph (1)(a), he shall be appointed by the Chief Constable of the Police Service of Northern Ireland;
 - (b) if the member must be within sub-paragraph (1)(b), he shall be appointed by the members of the Northern Ireland Policing Board, from among their number; and
 - (c) if the member must be within sub-paragraph (1)(c), he shall be appointed by the Secretary of State.]

Textual Amendments

F15 Sch. 1 Pt. II paras. 7-7B substituted (1.4.2002) for Sch. 1 Pt. II para. 7 by 2001 c. 16, s. 108(3), Sch. 5 Pt. 2 para. 8; S.I. 2002/344, art. 3(e) (with transitional provisions in art. 4)

Modifications etc. (not altering text)

C1 Sch. 1 Pt. II para. 7B modified (11.5.2001) by 2001 c. 16, s. 109(4)

- 8 (1) Where the Authority is to consist of more than nineteen members by virtue of an order under section 1(3), then in addition to the ten core members—
- (a) a prescribed number of members shall be appointed by the Secretary of State under this paragraph [^{F16}after consultation with the Scottish Ministers]
 - (b) a prescribed number shall be appointed by the relevant police officers, from among their number;
 - (c) a prescribed number of members shall be appointed by the chief constables of police forces in Scotland, from among their number;
 - (d) one shall be a person holding at least the rank of deputy chief constable in the [^{F17}Police Service of Northern Ireland], appointed by the Chief Constable of [^{F18}that Police Service];
 - (e) a prescribed number (being not less than two) shall be appointed by the local authority members of police authorities for areas in England and Wales, from among their number;
 - (f) a prescribed number shall be appointed by the members of police authorities for areas in Scotland, from among their number;
 - (g) a prescribed number shall be appointed by the members of the [^{F19}Northern Ireland Policing Board], from among their number;
 - [^{F20}(h) two shall be Crown servants—
 - (i) one of whom shall be appointed by the Secretary of State under this paragraph; and
 - (ii) one of whom shall be appointed by the Scottish Ministers under this paragraph.]
 - (i) one shall be a customs officer appointed by the Commissioners of Customs and Excise.

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- (2) An order under section 1(3) shall ensure—
- (a) that a majority of the members of the Authority are members appointed—
 - (i) by the Secretary of State (other than under sub-paragraph (1)(h) or paragraph 6),
 - (ii) by local authority members of police authorities for areas in England and Wales,
 - (iii) by members of police authorities for areas in Scotland, or
 - (iv) by members of the [^{F19}Northern Ireland Policing Board], and
 - (b) that the number of members appointed by local authority members of police authorities in England and Wales is—
 - (i) greater than the total number appointed under sub-paragraph (1)(a) or paragraph 2,
 - (ii) greater than the total number appointed under sub-paragraph (1)(b), (c) or (d) or paragraph 3, and
 - (iii) greater than the number appointed under each of paragraphs (f) and (g) of sub-paragraph (1).
- (3) Paragraph 2(2) applies in relation to appointments under sub-paragraph (1)(a), as it applies to appointments under paragraph 2.
- ^{F21}(4)
- (5) The power to make an order under section 1(3) includes power to prescribe anything which is require to be prescribed for the purposes of this paragraph.

Textual Amendments

- F16** Words in Sch. 1 para. 8(1)(a) inserted (1.7.1999) by S.I. 1999/1747, arts. 1, 3, **Sch. 18 Pt. II para. 2(28)(a)**; S.I. 1998/3178, **art. 3**
- F17** Words in Sch. 1 para. 8(1)(d) substituted (4.11.2001) by 2000 c. 32, s. 78(1), **Sch. 6 para. 20(2)(b)**; S.R. 2001/396, art. 2, **Sch.**
- F18** Words in Sch. 1 para. 8(1)(d) substituted (4.11.2001) by 2000 c. 32, s. 78(1), **Sch. 6 para. 20(7)**; S.R. 2001/396, art. 2, **Sch.**
- F19** Words in Sch. 1 para. 8(1)(g)(2)(a)(iv) substituted (4.11.2001) by 2000 c. 32, s. 78(1), **Sch. 6 para. 20(3)**; S.R. 2001/396, art. 2, **Sch.**
- F20** Sch. 1 para. 8(1)(h) substituted (1.7.1999) by S.I. 1999/1747, arts. 1, 3, **Sch. 18 Pt. II para. 2(28)(b)**; S.I. 1998/3178, **art. 3**
- F21** Sch. 1 para. 8(4) repealed (3.7.2000) by 1999 c. 29, s. 325, 423, Sch. 27 para. 113(4)(b), **Sch. 34 Pt. VII** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**

PART III

ADDITIONAL MEMBERS OF NCS SERVICE AUTHORITY

- 9 Where the NCS Service Authority is to consist of seventeen members by virtue of section 47, then in addition to the ten core members—
- (a) one member shall be appointed by the relevant police officers, from among their number; and

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- (b) six shall be appointed by the local authority members of police authorities for areas in England and Wales, from among their number.
- 10 (1) Where the Authority is to consist of more than seventeen members by virtue of an order under section 47(3), then in addition to the ten core members—
- (a) a prescribed number of members shall be appointed by the Secretary of State;
 - (b) a prescribed number shall be appointed by the relevant police officers, from among their number; and
 - (c) a prescribed number (being not less than six) shall be appointed by the local authority members of police authorities for areas in England and Wales, from among their number.
- (2) An order under section 47(3) shall ensure—
- (a) that a majority of the members of the Authority are members appointed—
 - (i) by the Secretary of State (other than under paragraph 6), or
 - (ii) by local authority members of police authorities for areas in England and Wales, and
 - (b) that the number of members appointed by such local authority members of police authorities is—
 - (i) greater than the total number appointed under sub-paragraph (1)(a) or paragraph 2, and
 - (ii) greater than the total number appointed under sub-paragraph (1)(b) or paragraph 3.
- (3) Paragraph 2(2) applies in relation to appointments under sub-paragraph (1)(a), as it applies to appointments under paragraph 2.
- ^{F22}(4)
- (5) The power to make an order under section 47(3) includes power to prescribe anything which is required to be prescribed for the purposes of this paragraph.

Textual Amendments

F22 Sch. 1 para. 10(4) repealed (3.7.2000) by 1999 c. 29, s. 325, 423, Sch. 27 para. 113(4)(c), Sch. 34 Pt. VII (with Sch. 12 para. 9(1))

PART IV

GENERAL

Extent Information

E2 Sch. 1 Pts. I, IV extend to E.W. only so far as they relate to the Service Authority for the National Crime Squad, see s. 137(2)(c)

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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 the NCS Service Authority appointed under Part III from being appointed as a member of the NCIS Service Authority under Part II.
- (2) Nothing in this Schedule shall prevent a member of the NCIS Service Authority appointed under Part II from being appointed as a member of the NCS Service Authority under Part III.

Local authority members

- 12 Local authority members of police authorities for areas in England and Wales shall exercise—
- (a) their powers to appoint members of the NCIS Service Authority under paragraphs 4, 7(c) and 8(1)(e), and
 - (b) their powers to appoint members of the NCS Service Authority under paragraphs 4, 9(b) and 10(1)(c),
- so as to ensure that, so far as practicable, the members of the Authority appointed by them reflect the balance of parties for the time being prevailing among the local authority members of such police authorities taken as a whole.
- 13 The clerk to a Service Authority shall make such arrangements as he considers necessary to facilitate the appointment to the Authority, in accordance with this Schedule, of—
- (a) local authority members of police authorities for areas in England and Wales, and
 - (b) in the case of the clerk to the NCIS Service Authority, members of police authorities for areas in Scotland and members of the [^{F23}Northern Ireland Policing Board].

Textual Amendments

F23 Words in [Sch. 1 para. 13](#) substituted (4.11.2001) by [2000 c. 32, s. 78\(1\)](#), [Sch. 6 para. 20\(3\)](#); [S.R. 2001/396, art. 2](#), [Sch.](#)

Interpretation

- 14 In this Schedule “local authority members of police authorities”, in relation to areas in England and Wales, means—
- (a) the members of police authorities appointed under paragraph 2 of Schedule 2 [^{F24}or paragraph 2 of Schedule 2A to the Police Act 1996 (local authority members and London Assembly members of the Metropolitan Police Authority)], and
 - (b) the members of the Common Council of the City of London who are members of any committee appointed under section 26 of the ^{M2}City of London Police Act 1839.

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Textual Amendments

F24 Words in [Sch. 1 para. 14\(a\)](#) substituted (3.7.2000) by 1999 c. 29, s. 325, [Sch. 27 para. 113\(5\)](#) (with [Sch. 12 para. 9\(1\)](#)); S.I. 2000/1648, art. 2, [Sch.](#)

Marginal Citations

M2 1839 c. xciv.

- 15 In this Schedule—
- (a) “the relevant police officers” shall be construed in accordance with paragraph 3(1), and
 - (b) “customs officer” means an officer commissioned by the Commissioners of Customs and Excise under section 6(3) of the ^{M3}Customs and Excise Management Act 1979.

Marginal Citations

M3 1979 c. 2.

- 16 For the purposes of this Schedule, [^{F25}the Commissioner of Police for the City of London shall be treated as if he were a member of the City of London police force.].

Textual Amendments

F25 Words in [Sch. 1 para. 16](#) substituted (3.7.2000) by 1999 c. 29, s. 325, [Sch. 27 para. 113\(6\)](#) (with [Sch. 12 para. 9\(1\)](#)); S.I. 2000/1648, art. 2, [Sch.](#)

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