

Status: Point in time view as at 01/04/2005.

Changes to legislation: Police Act 1997, SCHEDULE 9 is up to date with all changes known to be in force on or before 07 July 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 9 **U.K.**

Section 134(1).

MINOR AND CONSEQUENTIAL AMENDMENTS

Extent Information

E1 The amendments in Sch. 9 have the same extent as the enactments to which they refer

Explosives Act 1875 (c. 17)

1 In the Explosives Act 1875, at the end of section 75 (inspections of ships with explosives on board, etc.) (which becomes subsection (1)) there shall be added—

“(2) In subsection (1)—

- (a) “officer of police” includes any member of the National Criminal Intelligence Service appointed under section 9(1)(b) of the Police Act 1997 (police members) and any member of the National Crime Squad appointed under section 55(1)(b) of that Act (police members), and
- (b) “chief officer of police” includes the Director General of that Service and the Director General of that Squad.”.

Civil Defence Act 1948 (c. 5)

2 In section 9 of the Civil Defence Act 1948 (interpretation etc.), after subsection (3) there shall be inserted—

“(3A) For the purposes of this Act (other than section 3(3)) the Service Authority for the National Criminal Intelligence Service and the Service Authority for the National Crime Squad shall be treated as police authorities and the National Criminal Intelligence Service and the National Crime Squad as police forces.”.

Public Records Act 1958 (c. 51)

3 In Schedule 1 to the Public Records Act 1958 (definition of public records), in Part II of the Table at the end of paragraph 3 there shall be inserted at the appropriate place—

“Police Information Technology Organisation”.

Trustee Investments Act 1961 (c. 62)

4 In section 11 of the Trustee Investments Act 1961 (local authority investment schemes), in subsection (4)—

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- (a) in paragraph (a) after “1996” there shall be inserted “, the Service Authority for the National Crime Squad”, and
- (b) after paragraph (d) there shall be added—
 - “(e) in any part of the United Kingdom, the Service Authority for the National Criminal Intelligence Service.”.

5 In Schedule 1, in Part II (narrower-range investments requiring advice), in paragraph 9, after sub-paragraph (d) there shall be inserted—

- “(da) the Service Authority for the National Criminal Intelligence Service or the Service Authority for the National Crime Squad;”.

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

6 In section 90 of the Offices, Shops and Railway Premises Act 1963 (interpretation), in subsection (4) (persons treated as employed for purposes of that Act), after paragraph (c) there shall be added—

- “(d) a member of the National Criminal Intelligence Service within section 9(1)(a) or (b) of the Police Act 1997 or a member of the National Crime Squad within section 55(1)(a) or (b) of that Act (police members).”.

Parliamentary Commissioner Act 1967 (c. 13)

7 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments etc. subject to investigation), there shall be inserted at the appropriate place—

- “Police Information Technology Organisation”.

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),” there shall be inserted “(2B),”.

10 At the end of section 28 (regulations as to standards of equipment) (which becomes subsection (1)) there shall be added—

- “(2) The Secretary of State shall consult the Police Information Technology Organisation before making regulations under this section relating to information technology.

- (3) In subsection (2) of this section “information technology” includes any computer or other technology by means of which information or other matter may be recorded or communicated without being reduced to documentary form.”.

11 In section 33 (inspectors of constabulary), in each of subsections (3) and (4), after “generally” there shall be inserted “and the National Criminal Intelligence Service”.

12 At the end of section 36 (common services) there shall be added—

- “(7) The Secretary of State shall consult the Police Information Technology Organisation before making regulations under this section relating to information technology.

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(8) In subsection (7) of this section “information technology” includes any computer or other technology by means of which information or other matter may be recorded or communicated without being reduced to documentary form.”.

- 13 In section 38 (constables engaged on central service and certain temporary service), in subsection (3A), after “service” there shall be inserted “, or on temporary service such as is mentioned in paragraph (ba) or (bb) of the said section 38A(1), ”.

Commencement Information

- II** Sch. 9 para. 13 wholly in force at 31.10.1997; Sch. 9 para. 13 not in force at Royal Assent see s. 135; Sch. 9 para. 13 in force at 31.10.1997 by S.I. 1997/2390, art. 2 (with arts. 3-7 (but the said arts. 4-7 were revoked (1.4.1998) by S.I. 1998/354, art. 7))

- 14 In section 38A (constables engaged on service outside their force)—
- (a) in subsection (1), after paragraph (b) there shall be inserted—
- “(ba) temporary service with the National Criminal Intelligence Service on which a person is engaged with the consent of the appropriate authority;
- (bb) temporary service with the Police Information Technology Organisation on which a person is engaged with the consent of the appropriate authority;”;
- (b) in subsection (6)(a), after “(b),” there shall be inserted “ (ba) or (bb) ”.

Commencement Information

- I2** Sch. 9 para. 14 wholly in force at 31.10.1997; Sch. 9 para. 14 not in force at Royal Assent see s. 135; Sch. 9 para. 14 in force at 31.10.1997 by S.I. 1997/2390, art. 2 (with arts. 3-7 (but the said arts. 4-7 were revoked (1.4.1998) by S.I. 1998/354, art. 7))

- 15 In section 39 (liability for wrongful acts of constables), in subsection (4), after “1996” there shall be inserted “ or section 23 of the Police Act 1997 ”.

Leasehold Reform Act 1967 (c. 88)

- 16 In section 28 of the Leasehold Reform Act 1967 (retention or resumption of land required for public purposes), in subsection (5), after paragraph (bb) there shall be inserted—
- “(bc) the Service Authority for the National Crime Squad and the Service Authority for the National Criminal Intelligence Service;”.

Public Expenditure and Receipts Act 1968 (c. 14)

- 17 In section 4 of the Public Expenditure and Receipts Act 1968 (compensation to civil defence employees for loss of employment etc.) after subsection (6) (interpretation) there shall be added—
- “(7) For the purposes of this section, the Service Authority for the National Criminal Intelligence Service and the Service Authority for the National Crime Squad shall be treated as police authorities.”.

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Firearms Act 1968 (c. 27)

- 18 In section 54 of the Firearms Act 1968 (application of Act to Crown servants), in subsection (3) (which provides that members of police forces and certain employees of police authorities are deemed to be in the service of Her Majesty), at the end of paragraph (b) there shall be inserted “, or
 - (c) a member of the National Criminal Intelligence Service or the National Crime Squad.”.

Post Office Act 1969 (c. 48)

^{F1}19

Textual Amendments
F1 Sch. 9 para. 19 repealed (26.3.2001) by S.I. 2001/1149, art. 3(2), Sch. 2

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

- 20 In section 3 of the Employers’ Liability (Compulsory Insurance) Act 1969 (employers exempted from insurance), in subsection (2)(b) for “and any police authority” there shall be substituted “, any police authority, the Service Authority for the National Criminal Intelligence Service and the Service Authority for the National Crime Squad ”.

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

^{F2}21

Textual Amendments
F2 Sch. 9 para. 21 repealed (1.4.1999) by 1998 c. 32, ss. 74(2)(3), Sch. 6 (with Sch. 5 para. 1); S.R. 1999/176, art. 3

^{F3}22

Textual Amendments
F3 Sch. 9 para. 22 repealed (1.4.1999) by 1998 c. 32, ss. 74(2)(3), Sch. 6 (with Sch. 5 para. 1); S.R. 1999/176, art. 3

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

23 ^{F4}

Textual Amendments
F4 Sch. 9 para. 23 repealed (1.4.2002) by 2001 c. 16, s. 137, Sch. 7 Pt. 5(1); S.I. 2002/344, art. 3(j)(m) (with transitional provisions in art. 4)

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Superannuation Act 1972 (c. 11)

- 24 The following entry shall be inserted at the appropriate place in the list of “Other Bodies” in Schedule 1 to the Superannuation Act 1972 (kinds of employment to which schemes may apply)—

“Police Information Technology Organisation”.

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

- 25 ^{F5}

Textual Amendments

- F5** Sch. 9 para. 25 repealed (1.4.2002) by 2001 c. 16, s. 137, Sch. 7 Pt. 5(1); S.I. 2002/344, art. 3(j)(m) (with transitional provisions in art. 4)

Employment Agencies Act 1973 (c. 35)

- 26 In section 13 of the Employment Agencies Act 1973, in subsection (7) (cases in which the Act is not to apply), in paragraph (f), after “1996” there shall be inserted “, the Service Authority for the National Criminal Intelligence Service, the Service Authority for the National Crime Squad”.

Juries Act 1974 (c. 23)

- ^{F6}27

Textual Amendments

- F6** Sch. 9 para. 27 repealed (5.4.2004) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), Sch. 37 Pt. 10; S.I. 2004/829, art. 2(1)(2)(I)(iv)

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

- 28 In subsection (2) of section 12 of the District Courts (Scotland) Act 1975 (disqualification in certain cases of justices who are members of local authorities), the following shall be inserted as the first paragraph—

“(aa) any reference to a local authority includes a reference to the Service Authority for the National Criminal Intelligence Service;”.

House of Commons Disqualification Act 1975 (c. 24)

- 29 (1) The House of Commons Disqualification Act 1975 shall be amended as follows.
(2) In section 1(1) (disqualification of certain office holders and places), after paragraph (d) there shall be inserted—
“(da) is a member of the National Criminal Intelligence Service or the National Crime Squad;”.

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(3) In Part III of Schedule 1 (disqualifying offices), there shall be inserted at the appropriate place—

“Any member of the Police Information Technology Organisation in receipt of remuneration.”.

Commencement Information

I3 Sch. 9 para. 29 wholly in force at 1.4.1998; Sch. 9 para. 29 not in force at Royal Assent see s. 135; Sch. 9 para. 29(3), in force at 1.9.1997 by S.I. 1997/1930, art. 2(1)(2)(x); otherwise in force at 1.4.1998 by S.I. 1998/354 art. 2

Northern Ireland Assembly Disqualification Act 1975 (c. 25)

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

(2) In section 1(1) (disqualification of certain office holders and places), after paragraph (d) there shall be inserted—

“(da) is a member of the National Criminal Intelligence Service or the National Crime Squad;”.

(3) In Part III of Schedule 1 (disqualifying offices), there shall be inserted at the appropriate place—

“Any member of the Police Information Technology Organisation in receipt of remuneration.”.

Sex Discrimination Act 1975 (c. 65)

31 In section 17 of the Sex Discrimination Act 1975 (police), in subsection (7)—

(a) in the definition of “chief officer of police”, after paragraph (a) there shall be inserted—

“(aa) in relation to a person appointed, or an appointment falling to be made, under section 9(1)(b) or 55(1)(b) of the Police Act 1997 (police members of the National Criminal Intelligence Service and the National Crime Squad) means the Director General of the National Criminal Intelligence Service or, as the case may be, the Director General of the National Crime Squad,” and

(b) in the definition of “police fund” after “1996” there shall be inserted “, in relation to a chief officer of police within paragraph (aa) of that definition means the service fund established under section 16 or, as the case may be, 61 of the Police Act 1997 ”.

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

[^{F7}32 In section 53 of the Fair Employment (Northern Ireland) Act 1976 (police), in subsection (6), in the definition of “chief officer of police”, after paragraph (a) there shall be inserted—

“(aa) in relation to a person appointed, or to an appointment falling to be made, under section 9(1)(b) of the Police Act 1997 (police members of the National Criminal

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Intelligence Service) means the Director General of the National Criminal Intelligence Service;”.]

Textual Amendments

F7 Sch. 9 para. 32 repealed (4.11.2001) by 2000 c. 32, s. 78(4), Sch. 8; S.R. 2001/396, art. 2, Sch.

Police Pensions Act 1976 (c. 35)

33 (1) Section 11 of the Police Pensions Act 1976 (interpretation) shall be amended as follows.

(2) In subsection (2)—

- (a) the word “and” after paragraph (a) shall be omitted,
- (b) in paragraph (b) after “it means” there shall be inserted “, subject to paragraphs (c) to (e) below, ”, and
- (c) after paragraph (b) there shall be added—
 - “(c) in relation to service of the kind described in section 97(1) (ca) of the Police Act 1996 or section 38A(1)(ba) of the Police (Scotland) Act 1967, it means the Service Authority for the National Criminal Intelligence Service,
 - (d) in relation to service of the kind described in section 97(1) (cb) of the Police Act 1996, it means the Service Authority for the National Crime Squad, and
 - (e) in relation to service of the kind described in section 97(1) (cc) of the Police Act 1996 or section 38A(1)(bb) of the Police (Scotland) Act 1967, it means the Police Information Technology Organisation.”.

(3) In subsection (5), in the definition of “central service”—

- (a) after “within paragraph (b), (c)” there shall be inserted “, (ca), (cb), (cc) ”, and
- (b) after “1967” there shall be inserted “ or means relevant service within paragraph (ba) or (bb) of section 38A(1) of the said Act of 1967 ”.

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

34 In each of sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 (licensing of drivers of private hire vehicles and hackney carriages), subsection (1A) shall be omitted.

Race Relations Act 1976 (c. 74)

^{F8}35

Textual Amendments

F8 Sch. 9 para. 35 repealed (2.4.2001) by 2000 c. 34, s. 9(2), Sch. 3 (with s. 10(5)); S.I. 2001/566, art. 2(1)

^{F9}36

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Textual Amendments

F9 Sch. 9 para. 36 repealed (2.4.2001) by 2000 c. 34, s. 9(2), Sch. 3 (with s. 10(5)); S.I. 2001/566, art. 2(1)

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

[^{F10}37 In Article 19 of the Sex Discrimination (Northern Ireland) Order 1976 (police), in paragraph (6), in the definition of “chief officer of police”, after sub-paragraph (a) there shall be inserted—
“(aa) in relation to a person appointed, or to an appointment falling to be made, under section 9(1)(b) of the Police Act 1997 (police members of the National Criminal Intelligence Service) means the Director General of the National Criminal Intelligence Service;”.]

Textual Amendments

F10 Sch. 9 para. 37 repealed (4.11.2001) by 2000 c. 32, s. 78(4), Sch. 8; S.R. 2001/396, art. 2, Sch.

Rent (Agriculture) Act 1976 (c. 80)

38 ^{F11}

Textual Amendments

F11 Sch. 9 para. 38 repealed (1.4.2002) by 2001 c. 16, s. 137, Sch. 7 Pt. 5(1); S.I. 2002/344, art. 3(j)(m) (with transitional provisions in art. 4)

Rent Act 1977 (c. 42)

39 ^{F12}

Textual Amendments

F12 Sch. 9 para. 39 repealed (1.4.2002) by 2001 c. 16, s. 137, Sch. 7 Pt. 5(1); S.I. 2002/344, art. 3(j)(m) (with transitional provisions in art. 4)

Justices of the Peace Act 1979 (c. 55)

40 In section 64 of the Justices of the Peace Act 1979 (disqualification in certain cases of justices who are members of local authorities), in subsection (6) (definition of local authority), after “1996” there shall be inserted “, the Service Authority for the National Criminal Intelligence Service, the Service Authority for the National Crime Squad ”.

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

41 In Part I of Schedule 1 to the Law Reform (Miscellaneous Provisions) (Scotland) Act 1980, in Group B (ineligibility for jury service of certain persons concerned with the administration of justice), after paragraph (n) there shall be inserted—

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- “(na) members of the National Criminal Intelligence Service;
(nb) members of the Service Authority for the National Criminal Intelligence Service and persons employed by that Authority under section 13 of the Police Act 1997;”.

Commencement Information

- I4** Sch. 9 para. 41 wholly in force at 1.4.1998; Sch. 9 para. 41 in force for certain purposes at 23.7.1997 by S.I. 1997/1377 art. 4; Sch. 9 para. 41 otherwise in force at 1.4.1998 by S.I. 1998/354 art. 2

Finance Act 1981 (c. 35)

42 F13

Textual Amendments

- F13** Sch. 9 para. 42 repealed (1.4.2002) by 2001 c. 16, s. 137, Sch. 7 Pt. 5(1); S.I. 2002/344, art. 3(j)(m) (with transitional provisions in art. 4)

Acquisition of Land Act 1981 (c. 67)

43 F14

Textual Amendments

- F14** Sch. 9 para. 43 repealed (1.4.2002) by 2001 c. 16, s. 137, Sch. 7 Pt. 5(1); S.I. 2002/344, art. 3(j)(m) (with transitional provisions in art. 4)

Stock Transfer Act 1982 (c. 41)

44 In Schedule 1 to the Stock Transfer Act 1982 (securities that can be transferred through a computerised system), in paragraph 7(1), for “or” at the end of paragraph (ba) there shall be substituted—

- “(bb) the Service Authority for the National Criminal Intelligence Service or the Service Authority for the National Crime Squad; or”.

County Courts Act 1984 (c. 28)

45 F15

Textual Amendments

- F15** Sch. 9 para. 45 repealed (1.4.2002) by 2001 c. 16, s. 137, Sch. 7 Pt. 5(1); S.I. 2002/344, art. 3(j)(m) (with transitional provisions in art. 4)

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Police and Criminal Evidence Act 1984 (c. 60)

46 In section 5 of the Police and Criminal Evidence Act 1984 (reports of recorded searches and of road checks), after subsection (1) there shall be inserted—

“(1A) Every annual report under section 57 of the Police Act 1997 (reports by Director General of the National Crime Squad) shall contain information—

- (a) about searches recorded under section 3 above which have been carried out by members of the National Crime Squad during the period to which the report relates, and
- (b) about road checks authorised by members of the National Crime Squad during that period under section 4 above.”.

47 In section 55 (intimate searches), after subsection (14) there shall be inserted—

“(14A) Every annual report under section 57 of the Police Act 1997 (reports by Director General of the National Crime Squad) shall contain information about searches authorised under this section by members of the National Crime Squad during the period to which the report relates.”.

Prosecution of Offences Act 1985 (c. 23)

48 In section 3 of the Prosecution of Offences Act 1985 (functions of Director), in subsection (3), in the definition of “police force”, after “1996” there shall be inserted “, the National Crime Squad ”.

Housing Act 1985 (c. 68)

49 F16

Textual Amendments
F16 Sch. 9 para. 49 repealed (1.4.2002) by 2001 c. 16, s. 137, Sch. 7 Pt. 5(1); S.I. 2002/344, art. 3(J)(m) (with transitional provisions in art. 4)

Housing Associations Act 1985 (c. 69)

50 In section 106 of the Housing Associations Act 1985 (minor definitions), in subsection (1), in the definition of “local authority”, after “1996” there shall be inserted “ and the Service Authority for the National Crime Squad and the Service Authority for the National Criminal Intelligence Service ”.

Commencement Information
I5 Sch. 9 para. 50 wholly in force at 31.10.1997; Sch. 9 para. 50 not in force at Royal Assent see s. 135; Sch. 9 para. 50 in force at 31.10.1997 by S.I. 1997/2390, art. 2 (with arts. 3-7 (but the said arts. 4-7 were revoked (1.4.1998) by S.I. 1998/354, art. 7))

Landlord and Tenant Act 1985 (c. 70)

51 F17

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Textual Amendments

- F17** Sch. 9 para. 51 repealed (1.4.2002) by 2001 c. 16, s. 137, Sch. 7 Pt. 5(1); S.I. 2002/344, art. 3(j)(m) (with transitional provisions in art. 4)

Landlord And Tenant Act 1987 (c. 31)

52 **F18**

Textual Amendments

- F18** Sch. 9 para. 52 repealed (1.4.2002) by 2001 c. 16, s. 137, Sch. 7 Pt. 5(1); S.I. 2002/344, art. 3(j)(m) (with transitional provisions in art. 4)

Income and Corporation Taxes Act 1988 (c.1)

53 **F19**

Textual Amendments

- F19** Sch. 9 para. 53 repealed (1.4.2002) by 2001 c. 16, s. 137, Sch. 7 Pt. 5(1); S.I. 2002/344, art. 3(j)(m) (with transitional provisions in art. 4)

Dartford-Thurrock Crossing Act 1988 (c. 20)

54 In section 19 of the Dartford-Thurrock Crossing Act 1988 (exemption from tolls), in paragraph (a), after sub-paragraph (i) there shall be inserted—
“(ia) the Service Authority for the National Criminal Intelligence Service or the Service Authority for the National Crime Squad;”.

Local Government Finance Act 1988 (c. 41)

55 **F20**

Textual Amendments

- F20** Sch. 9 para. 55 repealed (1.4.2002) by 2001 c. 16, s. 137, Sch. 7 Pt. 5(1); S.I. 2002/344, art. 3(j)(m) (with transitional provisions in art. 4)

56 In section 65A (which was inserted by section 3 of the ^{M1}Local Government and Rating Act 1997 and makes provision about Crown property), in subsection (4)(b) for the words from “or by a police authority” to the end there shall be substituted “, a police authority established under section 3 of the Police Act 1996, the Service Authority for the National Criminal Intelligence Service or the Service Authority for the National Crime Squad”.

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Marginal Citations

M1 1997 c. 29.

Housing Act 1988 (c. 50)

- 57 In Schedule 1 to the Housing Act 1988 (tenancies which cannot be assured tenancies), in paragraph 12 (local authority tenancies, etc.), in sub-paragraph (2) (g), after “1996” there shall be inserted “, the Service Authority for the National Criminal Intelligence Service and the Service Authority for the National Crime Squad”.

Commencement Information

I6 Sch. 9 para. 57 wholly in force at 31.10.1997; Sch. 9 para. 57 not in force at Royal Assent see s. 135; Sch. 9 para. 57 in force at 31.10.1997 by S.I. 1997/2390, art. 2 (with arts. 3-7 (but the said arts. 4-7 were revoked (1.4.1998) by S.I. 1998/354, art. 7))

Road Traffic Act 1988 (c. 52)

- 58 In section 124 of the Road Traffic Act 1988 (exemption of police instructors from prohibition imposed by section 123), in subsection (2), after “section—” there shall be inserted—
- ““chief officer of police” includes the Director General of the National Criminal Intelligence Service and the Director General of the National Crime Squad;
- “police authority” includes the Service Authority for the National Criminal Intelligence Service and the Service Authority for the National Crime Squad;
- “police force” includes the National Criminal Intelligence Service and the National Crime Squad;”.
- 59 In section 144 (exceptions from requirement of third-party insurance or security), after subsection (2)(b) there shall be inserted—
- “(ba) to a vehicle owned by the Service Authority for the National Criminal Intelligence Service or the Service Authority for the National Crime Squad, at a time when it is being driven under the owner’s control, or to a vehicle at a time when it is being driven for the purposes of the body maintained by such an Authority by or under the direction of a constable, or by a person employed by such an Authority;”.

Security Service Act 1989 (c. 5)

- 60 In section 1 of the Security Service Act 1989, in subsection (4) (Security Service to act in support of police forces etc.), after “forces” there shall be inserted “, the National Criminal Intelligence Service, the National Crime Squad”.
- 61 In section 2 (which imposes duties on the Director General of the Security Service), in subsection (2)(c), after “forces” there shall be inserted “, the National Criminal Intelligence Service, the National Crime Squad”.

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Official Secrets Act 1989 (c. 6)

- 62 In section 12 of the Official Secrets Act 1989, in subsection (1) (meaning of “Crown servant” for purposes of that Act), in paragraph (e) after “1970)” there shall be inserted “ or of the National Criminal Intelligence Service or the National Crime Squad ”.

Town and Country Planning Act 1990 (c. 8)

- 63 F21

Textual Amendments

- F21** Sch. 9 para. 63 repealed (1.4.2002) by 2001 c. 16, s. 137, Sch. 7 Pt. 5(1); S.I. 2002/344, art. 3(j)(m) (with transitional provisions in art. 4)

Aviation and Maritime Security Act 1990 (c. 31)

- 64 In section 22 of the Aviation and Maritime Security Act 1990 (power to require harbour authorities to promote searches in harbour areas), in subsection (4)(b)—
- (a) the words “who is a member of a body of constables maintained” shall be omitted,
 - (b) at the beginning of both sub-paragraph (i) and sub-paragraph (ii) there shall be inserted “ who is a member of a body of constables maintained ”, and
 - (c) at the end of sub-paragraph (ii) there shall be inserted “, or
(iii) who is a member of the National Criminal Intelligence Service within section 9(1)(a) or (b) of the Police Act 1997 or a member of the National Crime Squad within section 55(1)(a) or (b) of that Act.”.

Road Traffic Act 1991 (c. 40)

- 65 Section 47 of the Road Traffic Act 1991 (applications for licences to drive hackney carriages etc.) shall cease to have effect.

Commencement Information

- I7** Sch. 9 para. 65 partly in force; Sch. 9 para. 65 not in force at Royal Assent, see s. 135(1); Sch. 9 para. 65 in force for E.W. at 1.3.2002 by S.I. 2002/413, art. 2

Local Government Finance Act 1992 (c. 14)

- 66 In section 19 of the Local Government Finance Act 1992 (exclusion of Crown exemption in certain cases), in subsection (3), for “and” at the end of paragraph (c) there shall be substituted—
- “(ca) the Service Authority for the National Criminal Intelligence Service;
 - (cb) the Service Authority for the National Crime Squad;”.

Status: Point in time view as at 01/04/2005.

Changes to legislation: Police Act 1997, SCHEDULE 9 is up to date with all changes known to be in force on or before 07 July 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)

Commencement Information

I8 Sch. 9 para. 66 wholly in force at 31.10.1997; Sch. 9 para. 66 not in force at Royal Assent see s. 135; Sch. 9 para. 66 in force at 31.10.1997 by S.I. 1997/2390, art. 2 (with arts. 3-7 (but the said arts. 4-7 were revoked (1.4.1998) by S.I. 1998/354, art. 7))

67 **F22**

Textual Amendments

F22 Sch. 9 para. 67 repealed (1.4.2002) by 2001 c. 16, s. 137, Sch. 7 Pt. 5(1); S.I. 2002/344, art. 3(j)(m) (with transitional provisions in art. 4)

68 **F23**

Textual Amendments

F23 Sch. 9 para. 68 repealed (1.4.2002) by 2001 c. 16, s. 137, Sch. 7 Pt. 5(1); S.I. 2002/344, art. 3(j)(m) (with transitional provisions in art. 4)

Tribunals and Inquiries Act 1992 (c.53)

69 (1) In section 7 of the Tribunals and Inquiries Act 1992, in subsection (2), after “36A” there shall be inserted “ (a) or (b) ”.

70 In Schedule 1 to that Act, in Part I, at the end of paragraph 36A (which becomes sub-paragraph (a)) there shall be inserted—

“(b) An appeals tribunal constituted in accordance with an order under section 38(2) of the Police Act 1997 (c.50) and an appeals tribunal constituted in accordance with Schedule 6 to the Police Act 1996 as applied by section 82(2) of the Police Act 1997.”.

Criminal Appeals Act 1995 (c. 35)

71 (1) Section 22 of the Criminal Appeals Act 1995 (meaning of “public body” etc.) shall be amended as follows.

(2) In subsection (2)—

(a) in paragraph (a) (meaning of police force), after “Reserve” there shall be inserted “, the National Crime Squad ”,

(b) for paragraph (b) (meaning of “chief officer of police”) there shall be substituted—

“(b) references to the chief officer of police—

(i) in relation to the [F24Police Service of Northern Ireland] and the [F24Police Service of Northern

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- Ireland Reserve], are to the Chief Constable of the Constabulary,
- (ii) in relation to the National Crime Squad, are to the Director General of the Squad, and
- (iii) in relation to any other police force maintained otherwise than by a police authority, are to the chief constable,”
- (c) in paragraph (c) for “or the City of London police force” there shall be substituted “, the City of London police force or the National Crime Squad”, and
- (d) after paragraph (c) there shall be added—
- “(d) “police authority” includes the Service Authority for the National Crime Squad, and
- (e) references to a person serving in a police force or to a member of a police force, in relation to the National Crime Squad, mean a police member of that Squad appointed under section 55(1)(b) of the Police Act 1997.”
- (3) In subsection (4) (meaning of “appropriate person”), after paragraph (a) there shall be inserted—
- “(aa) in relation to the National Criminal Intelligence Service, the Director General of that Service,”.

Textual Amendments

F24 Words in Sch. 9 para. 71(2)(b) substituted (4.11.2001) by 2000 c. 32, s. 78(1), Sch. 6 para. 20(2)(a)(b); S.R. 2001/396, art. 2, Sch.

Police Act 1996 (c. 16)

72 The Police Act 1996 shall be amended as follows.

Commencement Information

I9 Sch. 9 para. 72 wholly in force at 31.10.1997; Sch. 9 para. 72 not in force at Royal Assent see s. 135; Sch. 9 para 72 in force at 31.10.1997 by S.I. 1997/2390, art. 2 (with arts. 3-7 (but the said arts. 4-7 were revoked (1.4.1998) by S.I. 1998/354, art. 7))

73 At the end of section 23 (collaboration agreements) there shall be added—

“(8) For the purposes of this section, the Service Authority for the National Crime Squad, the National Crime Squad and the Director General of that Squad shall be treated as if they were a police authority, the police force maintained by that authority and the chief officer of police of that force respectively, and the reference in subsection (1) to “police functions” shall include the functions of that Squad.”.

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Commencement Information

I10 Sch. 9 para. 73 wholly in force at 31.10.1997; Sch. 9 para. 73 not in force at Royal Assent see s. 135; Sch. 9 para. 73 in force at 31.10.1997 by S.I. 1997/2390, art. 2 (with arts. 3-7 (but the said arts. 4-7 were revoked (1.4.1998) by S.I. 1998/354, art. 7))

- 74 At the end of section 24 (mutual aid) there shall be added—
- “(5) This section shall apply in relation to the Service Authority for the National Crime Squad, the National Crime Squad and the Director General of that Squad as it applies to a police authority, a police force and a chief officer of police respectively, and accordingly the reference in subsection (3) to section 10(1) shall be construed, in a case where constables are provided by the Director General of the National Crime Squad, as including a reference to section 56(1) of the Police Act 1997.”.
- 75 At the end of section 53 (regulations as to standards of equipment) (which becomes subsection (1)) there shall be added—
- “(2) The Secretary of State shall consult the Police Information Technology Organisation before making regulations under this section relating to information technology.
- (3) In subsection (2) “information technology” includes any computer or other technology by means of which information or other matter may be recorded or communicated without being reduced to documentary form.”.
- 76 In section 54 (appointment and functions of inspectors of constabulary), at the end of subsection (2) there shall be added “ and the National Criminal Intelligence Service and the National Crime Squad ”.
- 77 In section 55 (publication of reports), after subsection (6) there shall be added—
- “(7) Subsections (3) to (6) above shall apply in relation to a report relating to the National Criminal Intelligence Service or the National Crime Squad as if—
- (a) the body to which the report relates were a police force,
- (b) the Service Authority which maintains that body were the police authority which maintains that force, and
- (c) the Director General of that body were the chief officer of police of that force.”.
- 78 (1) Section 57 (common services) shall be amended as follows.
- (2) After subsection (3) there shall be inserted—
- “(3A) Regulations under this section relating to all police forces may also require the National Crime Squad to use the specified facilities or services, or the facilities or services of a specified description, if the Secretary of State considers that it would be in the interests of the efficiency or effectiveness of the Squad for the Squad to do so.”.
- (3) In subsection (4), at the end of paragraph (b) there shall be added “, and
- (c) if the regulations relate to the National Crime Squad, the Service Authority for the National Crime Squad and the Director General of that Squad.”.

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(4) After subsection (4) there shall be added—

“(5) The Secretary of State shall consult the Police Information Technology Organisation before making regulations under this section relating to information technology.

(6) In subsection (5) “information technology” includes any computer or other technology by means of which information or other matter may be recorded or communicated without being reduced to documentary form.”.

79 In section 59 (Police Federations), after subsection (7) there shall be added—

“(8) For the purposes of subsection (1)—

(a) the Director General of the National Criminal Intelligence Service and persons within section 9(2)(a) of the Police Act 1997 (former members of police forces) appointed as police members of the National Criminal Intelligence Service, and

(b) the Director General of the National Crime Squad and persons within section 55(2)(a) of that Act (former members of police forces) appointed as police members of the National Crime Squad, shall be treated as members of a police force in England and Wales, and references in this section to police service shall be construed accordingly.”.

80 In section 60 (regulations for police federations), after subsection (2) there shall be inserted—

“(2A) For the purposes of paragraphs (c) and (d) of subsection (2)—

(a) the Service Authority for the National Criminal Intelligence Service and the Service Authority for the National Crime Squad shall be treated as police authorities, and

(b) the Director General of the National Criminal Intelligence Service and the Director General of the National Crime Squad shall be treated as chief officers of police,

and the reference in paragraph (d) of that subsection to “police purposes” shall be construed accordingly.”.

81 In section 61 (Police Negotiating Board for the United Kingdom), in subsection (1)

(a) after paragraph (a), there shall be inserted—

“(aa) the Service Authority for the National Criminal Intelligence Service and the Service Authority for the National Crime Squad;”, and

(b) after paragraph (b) there shall be inserted—

“(ba) the persons who are members of the National Criminal Intelligence Service within section 9(1)(a) or (b) of the Police Act 1997 or members of the National Crime Squad within section 55(1)(a) or (b) of that Act;”.

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Commencement Information

III Sch. 9 para. 81 wholly in force at 31.10.1997; Sch. 9 para. 81 not in force at Royal Assent see s. 135; Sch. 9 para. 81 in force at 31.10.1997 by S.I. 1997/2390, art. 2 (with arts. 3-7 (but the said arts. 4-7 were revoked (1.4.1998) by S.I. 1998/354, art. 7))

- 82 (1) Section 62 (functions of Police Negotiating Board) shall be amended as follows.
- (2) After subsection (1) there shall be inserted—
- “(1A) Before determining the terms and conditions on which a person is to be appointed under section 6, 9(1)(b), 52 or 55(1)(b) of the Police Act 1997, the Service Authority for the National Criminal Intelligence Service or, as the case may be, the Service Authority for the National Crime Squad shall—
- (a) consult the Police Negotiating Board for the United Kingdom about any term or condition which relates to any of the matters mentioned in section 61(1) (other than pensions), and
- (b) take into consideration any recommendation made by the Board.”.
- (3) In subsection (2), after “subsection (1)” there shall be inserted “ or (1A) ”.
- 83 (1) Section 63 (Police Advisory Boards) shall be amended as follows.
- (2) After subsection (1) there shall be inserted—
- “(1A) The Police Advisory Board for England and Wales shall also advise the Secretary of State on general questions affecting—
- (a) members of the National Criminal Intelligence Service within section 9(1)(a) or (b) of the ^{M2}Police Act 1997 (other than members engaged with that Service on a period of temporary service to which section 38A(1)(ba) of the ^{M3}Police (Scotland) Act 1967 or section 21 of the Police Act (Northern Ireland) 1970 applies), or
- (b) members of the National Crime Squad within section 55(1)(a) or (b) of the Police Act 1997.
- (1B) The Police Advisory Board for Scotland shall also advise the Secretary of State on general questions affecting members of the National Criminal Intelligence Service engaged on periods of temporary service to which section 38A(1)(ba) of the Police (Scotland) Act 1967 applies.”.
- (3) In subsection (3), at the end of paragraph (b) there shall be inserted “, or
- (c) regulations under section 37, 39, 81 or 83 of the Police Act 1997,”.

Marginal Citations

M2 1967 c. 77.
M3 1970 c. 9 (N.I.).

- 84 In section 64 (membership of trade unions), after subsection (4) there shall be inserted—
- “(4A) This section applies to members of the National Criminal Intelligence Service within section 9(1)(a) or (b) of the Police Act 1997 or members of the National Crime Squad within section 55(1)(a) or (b) of that Act (police

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members) as it applies to members of a police force, and references to a police force or to service in a police force shall be construed accordingly.

(4B) In its application by virtue of subsection (4A), subsection (2) shall have effect as if the reference to the chief officer of police were a reference to the Director General of the National Criminal Intelligence Service or, as the case may be, the Director General of the National Crime Squad.”.

85 In section 88 (liability for wrongful acts of constables), in subsection (5)(b), after “or 98” there shall be inserted “ of this Act or section 23 of the Police Act 1997 ”.

86 (1) Section 97 (police officers engaged on service outside their force) shall be amended as follows.

(2) In subsection (1), after paragraph (c) there shall be inserted—

- “(ca) temporary service with the National Criminal Intelligence Service on which a person is engaged with the consent of the appropriate authority;
- (cb) temporary service with the National Crime Squad on which a person is engaged with the consent of the appropriate authority;
- (cc) temporary service with the Police Information Technology Organisation on which a person is engaged with the consent of the appropriate authority;”.

(3) In subsection (6)(a) after “(c),” there shall be inserted “ (ca), (cb), (cc), ”

(4) In subsection (8) after “(c)” there shall be inserted “ , (ca), (cb), (cc), ”.

Commencement Information

I12 Sch. 9 para. 86 wholly in force at 31.10.1997; Sch. 9 para. 86 not in force at Royal Assent see s. 135; Sch. 9 para. 86 in force at 31.10.1997 by S.I. 1997/2390, art. 2 (with arts. 3-7 (but the said arts. 4-7 were revoked (1.4.1998) by S.I. 1998/354, art. 7))

87 (1) Section 98 (cross-border aid) shall be amended as follows.

(2) In subsection (2)—

- (i) after “Constabulary”, in the first place it occurs, there shall be inserted “ or the Director General of the National Crime Squad ”, and
- (ii) after “Constabulary”, in the second place it occurs there shall be inserted “ or the National Crime Squad ”.

(3) In subsection (3)—

- (i) after “Scotland” there shall be inserted “ or the Director General of the National Crime Squad ”, and
- (ii) after “Scottish force” there shall be inserted “ or the National Crime Squad ”.

(4) After subsection (3) there shall be inserted—

“(3A) The Director General of the National Crime Squad may, on the application of the chief officer of a police force in Scotland or the Chief Constable of the [F²⁵Police Service of Northern Ireland], provide constables or other assistance for the purpose of enabling the Scottish force or the [F²⁵Police Service of Northern Ireland] to meet any special demand on its resources.”.

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(5) In subsection (4)—

- (a) in paragraph (a) after “force” there shall be inserted “ or the National Crime Squad ”,
- (b) in paragraph (b), for “or (3)” there shall be substituted “ , (3) or (3A) ”, and
- (c) after “Constabulary” there shall be inserted “ or the Director General of the National Crime Squad ”.

(6) In subsection (5)—

- (a) after “force” in the first place it occurs there shall be inserted “ or the National Crime Squad ”,
- (b) after “Constabulary” in the first place it occurs there shall be inserted “ or the National Crime Squad ”, and
- (c) after “Constabulary” in the second place it occurs there shall be inserted “ or the Director General of the National Crime Squad ”.

(7) After subsection (6) there shall be inserted—

“(6A) For the purposes of subsection (6), the Service Authority for the National Crime Squad shall be treated as a police authority and the National Crime Squad as the police force maintained by it.”.

Textual Amendments

F25 Words in [Sch. 9 para. 87\(4\)](#) substituted (4.11.2001) by [2000 c. 32, s. 78\(1\)](#), [Sch. 6 para. 20\(2\)\(b\)](#); [S.R. 2001/396, art. 2](#), [Sch.](#)

Employment Rights Act 1996 (c. 18)

88 In section 50 of the Employment Rights Act 1996 (right to time off for public duties), in subsection (2), after paragraph (c) there shall be inserted—

- “(ca) the Service Authority for the National Criminal Intelligence Service or the Service Authority for the National Crime Squad,”.

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

89 In section 3 of the Housing Grants, Construction and Regeneration Act 1996 (persons ineligible for grant under Chapter I of Part I of that Act), in subsection (2), for paragraph (g) there shall be substituted—

- “(g) a police authority established under section 3 of the Police Act 1996, the Service Authority for the National Criminal Intelligence Service or the Service Authority for the National Crime Squad;”.

F2690

Textual Amendments

F26 [Sch. 9 para. 90](#) repealed (19.7.2003) by [The Regulatory Reform \(Housing Assistance\) \(England and Wales\) Order 2002 \(S.I. 2002/1860\)](#), art. 1(3), [Sch. 6](#)

Status: Point in time view as at 01/04/2005.

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Juries (Northern Ireland) Order 1996 (NI 6)

91 In Schedule 2 to the Juries (Northern Ireland) Order 1996 (persons ineligible for jury service), after the entry for members and staff of the [^{F27}Northern Ireland Policing Board] there shall be inserted—

“Members of the National Criminal Intelligence Service, members of the Service Authority for the National Criminal Intelligence Service and persons employed by the Authority.”.

Textual Amendments

F27 Words in [Sch. 9 para. 91](#) substituted (4.11.2001) by [2000 c. 32, s. 78\(1\)](#), [Sch. 6 para. 20\(3\)](#); [S.R. 2001/396, art. 2](#), [Sch.](#)

Commencement Information

I13 [Sch. 9 para. 91](#) wholly in force at 31.10.1997; [Sch. 9 para. 91](#) not in force at Royal Assent see [s. 135](#); [Sch. 9 para. 91](#) in force at 31.10.1997 by [S.I. 1997/2390, art. 2](#) (with [arts. 3-7](#)(but the said [arts. 4-7](#) were revoked (1.4.1998) by [S.I. 1998/354, art. 7](#)))

Justices of the Peace Act 1997 (c.25)

^{F28}92

Textual Amendments

F28 [Sch. 9 para. 92](#) repealed (1.4.2005) by [Courts Act 2003 \(c. 39\), s. 110\(1\)](#), [Sch. 10](#); [S.I. 2005/910, art. 3\(aa\)](#)

Status:

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Changes to legislation:

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