



Police Act 1997

1997 CHAPTER 50

PART I

THE NATIONAL CRIMINAL INTELLIGENCE SERVICE

Director General and other members

6 Appointment of Director General.

- (1) NCIS shall have a Director General appointed by the [^{F1}Secretary of State] on such terms and conditions as [^{F2}he] considers appropriate.
- [^{F3}(1A) The NCIS Service Authority shall pay to the Director General such remuneration and allowances as the Secretary of State may determine.]
- (2) The Director General shall be chosen by [^{F4}the Secretary of State] from a list of persons eligible for appointment which has been prepared by [^{F5}a panel of members of the NCIS Service Authority] and approved by the Secretary of State [^{F6} . . .
- [^{F7}(2A) Where an appointment falls to be made under this section and a list has been approved by the Secretary of State for the purposes of subsection (2), the panel mentioned in that subsection may make, to the Secretary of State, such recommendations as it thinks fit.
- [^{F7}(2B) Before making an appointment under this section, the Secretary of State shall—
- (a) have regard to any recommendations made to him under subsection (2A), and
 - (b) consult the Scottish Ministers.]
- (3) A person shall be eligible for appointment as Director General for the purposes of subsection (2) if—
- (a) he holds the rank of chief constable in a police force in Great Britain or in the [^{F8}Police Service of Northern Ireland],
 - (b) he is the Commissioner, an Assistant Commissioner or a Deputy Assistant Commissioner of Police of the Metropolis,
 - (c) he is the Commissioner of Police for the City of London, or

Status: Point in time view as at 01/04/2002. This version of this provision has been superseded.

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- (d) he is, in accordance with regulations under section 50 of the ^{M1}Police Act 1996, section 26 of the ^{M2}Police (Scotland) Act 1967 or [^{F9}section 25 of the ^{M3}Police (Northern Ireland) Act 1998] a constable eligible for appointment to any of the ranks or posts mentioned in paragraphs (a) to (c).
- (4) The panel mentioned in subsection (2) shall be convened by the chairman of the NCIS Service Authority and shall consist only of members of that Authority appointed—
- (a) by the Secretary of State ^{F10} . . . , or
- (b) by ^{F11} . . . members of police authorities for areas in England and Wales ^{F11} . . . , members of police authorities for areas in Scotland or members of the [^{F12}Northern Ireland Policing Board].
- (5) The Director General shall, on appointment, be attested as a constable by making a declaration in the form set out in Schedule 4 to the Police Act 1996 before a justice of the peace ^{F13} . . . in England and Wales.
- (6) Without prejudice to any other enactment conferring powers on constables for particular purposes, the Director General shall have all the powers and privileges of a constable throughout England and Wales and the adjacent United Kingdom waters.
- (7) The Director General shall hold the rank of chief constable.
- (8) In subsection (6)—
- “powers” includes powers under any enactment, whenever passed or made;
- “United Kingdom waters” means the sea and other waters within the seaward limits of the territorial sea;
- and that subsection, so far as it relates to powers under any enactment, makes them exercisable throughout the United Kingdom waters whether or not the enactment applies to those waters apart from this provision.

Textual Amendments

- F1** Words in s. 6(1) substituted (1.4.2002) by 2001 c. 16, s. 116(2)(a); S.I. 2002/344, **art. 3(h)** (with transitional provisions in **art. 4**)
- F2** Word in s. 6(1) substituted (1.4.2002) by 2001 c. 16, s. 116(2)(b); S.I. 2002/344, **art. 3(h)** (with transitional provisions in **art. 4**)
- F3** S. 6(1A) inserted (1.4.2002) by 2001 c. 16, s. 116(3); S.I. 2002/344, **art. 3(h)** (with transitional provisions in **art. 4**)
- F4** Words in s. 6(2) substituted (1.4.2002) by 2001 c. 16, s. 116(4)(a); S.I. 2002/344, **art. 3(h)** (with transitional provisions in **art. 4**)
- F5** Words in s. 6(2) substituted (1.4.2002) by 2001 c. 16, s. 116(4)(b); S.I. 2002/344, **art. 3(h)** (with transitional provisions in **art. 4**)
- F6** Words in s. 6(2) repealed (1.4.2002) by 2001 c. 16, ss. 116(4)(c), 137, Sch. 7 Pt. 5 para. 1; S.I. 2002/344, **art. 3(h)(j)(m)** (with transitional provisions in **art. 4**)
- F7** S. 6(2A)(2B) inserted (1.4.2002) by 2001 c. 16, s. 116(5); S.I. 2002/344, **art. 3(h)** (with transitional provisions in **art. 4**)
- F8** Words in s. 6(3)(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.**
- F9** Words in s. 6(3)(d) substituted (1.4.1999) by 1998 c. 32, s. 74(1), **Sch. 4 para. 22(2)**; S.I. 1999/176, **art. 3**
- F10** Words in s. 6(4)(a) repealed (1.4.2002) by 2001 c. 16, ss. 116(6), 137, Sch. 7 Pt. 5 para. 1; S.I. 2002/344, **art. 3(h)(j)(m)** (with transitional provisions in **art. 4**)

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- F11** Words in s. 6(4)(b) repealed (1.4.2002) by 2001 c. 16, ss. 128(1), 137, Sch. 6 Pt. 1 para. 7, Sch. 7 Pt. 5 para. 1; S.I. 2002/344, **art. 3(j)(k)(m)** (with transitional provisions in art. 4)
- F12** Words in s. 6(4)(b) substituted (4.11.2001) by 2000 c. 32, s. 78(1), **Sch. 6 para. 20(3)**; S.R. 2001/396, art. 2, **Sch.**
- F13** Words in s. 6(5) repealed (31.8.2000) by 1999 c. 22, s. 106, **Sch. 15 Pt. V(3)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 2000/1920, **art. 3(c)**

Modifications etc. (not altering text)

- C1** S. 6 restricted (1.9.1997) by 1996 c. 16, **s. 62(1A)** (as inserted (1.9.1997) by 1997 c. 50, s. 134(1), **Sch. 9 para. 82(2)**); S.I. 1997/1930, **art. 3**

Marginal Citations

- M1** 1996 c. 16.
M2 1967 c. 77.
M3 1970 c. 9 (N.I.)

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