



Criminal Justice and Police Act 2001

CHAPTER 16

CRIMINAL JUSTICE AND POLICE ACT 2001

PART 1

PROVISIONS FOR COMBATTING CRIME AND DISORDER

CHAPTER 1

ON THE SPOT PENALTIES FOR DISORDERLY BEHAVIOUR

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CHAPTER 3

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- 37 Saving for powers to remove a person from the United Kingdom

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- 38 Permitting use of controlled drugs on premises

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- 39 Intimidation of witnesses

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- 40 Harming witnesses etc.
- 41 Relevant proceedings

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- 42A Offence of harassment etc. of a person in his home
- 43 Malicious communications
- 44 Collective harassment
- 45 Addresses of directors and secretaries of companies

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- 46 Placing of advertisement relating to prostitution
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- 57 Retention of seized items
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- 61 The duty to secure
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- 65 Meaning of “legal privilege”
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- 69 Application to powers designated by order
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- 77 Codes of practice

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- 80 Samples
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- 82 Restriction on use and destruction of fingerprints and samples
- 83 Provision for Northern Ireland corresponding to s. 82
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- 88 Functions of the Authority
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- 91 Setting of performance targets
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- 94 Power to require reports from the Authority
- 95 Annual reports
- 96 Secretary of State's duty to promote efficiency etc. of Authority

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- 101 Interpretation of Part 4
- 102 Consequential amendments relating to police training
- 103 Transitional arrangements relating to Authority's establishment etc.

PART 5

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- 105 Political balance on police authorities
- 106 Removal of age qualification for membership
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- 108 Number and appointment of members
- 109 Transitional provision relating to section 108 etc

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- 110 Preparation of budget statement by NCIS Service Authority
- 111 Funding of NCIS Service Authority
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- 113 Preparation of budget statement by NCS Service Authority
- 114 Funding of NCS Service Authority
- 115 Duty of NCS Service Authority to prepare accounts

Director General and other members of NCIS

- 116 Appointment of NCIS Director General
- 117 Removal of NCIS members (other than the Director General)
- 118 Removal of NCIS Director General, etc.

Director General and other members of NCS

- 119 Appointment of NCS Director General
- 120 Removal of NCS members (other than the Director General)
- 121 Removal of NCS Director General etc.

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- 122 Deputy Assistant Commissioners of Police of the Metropolis
- 123 Appointment and removal of deputy chief constables
- 124 Power of deputy to exercise functions of chief constable

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125 Chief superintendents

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126 Pensions for members of NCIS and NCS

127 Pensions for ACPO staff

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129 Requirement to give reasons for granting or continuing bail

130 Remands and committals to secure accommodation etc

131 Monitoring of compliance with bail conditions

132 Monitoring of compliance with conditions of non-secure remand

133 Arrangements for detention in secure training centres

Criminal records

134 Registration for criminal records purposes

Supplemental

135 Ministerial expenditure etc

136 General interpretation

137 Repeals

138 Short title, commencement and extent

SCHEDULES

SCHEDULE 1 — Powers of seizure

Part 1 — POWERS TO WHICH SECTION 50 APPLIES

- 1 *Police and Criminal Evidence Act 1984 (c. 60)*
- 2 *Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989 1341 (N.I. 12))*
- 3 *Official Secrets Act 1911 (c. 28)*
- 4 *Children and Young Persons (Harmful Publications) Act 1955 (c. 28)*
- 5 *Obscene Publications Act 1959 (c. 66)*
- 6 *Betting, Gaming and Lotteries Act 1963 (c. 2)*
- 7 *Licensing Act 1964 (c. 26)*
- 8 *Firearms Act 1968 (c. 27)*
- 9 *Trade Descriptions Act 1968 (c. 29)*
- 10 *Theft Act 1968 (c. 60)*
- 11 *Gaming Act 1968 (c. 65)*
- 12 *Theft Act (Northern Ireland) 1969 (c. 16 (N.I.))*
- 13 *Taxes Management Act 1970 (c. 9)*
- 14 *Misuse of Drugs Act 1971 (c. 38)*
- 15 *Immigration Act 1971 (c. 77)*
- 16 *Fair Trading Act 1973 (c. 41)*

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- 17 *Biological Weapons Act 1974 (c. 6)*
- 18 *Prices Act 1974 (c. 24)*
- 18A The power of seizure conferred by section 36D(3) of the...
- 19 *Consumer Credit Act 1974 (c. 39)*
- 20 *Lotteries and Amusements Act 1976 (c. 32)*
- 21 *Protection of Children Act 1978 (c. 37)*
- 22 *Protection of Children (Northern Ireland) Order 1978 (S.I. 1978 1047 (N.I. 17))*
- 23 *Customs and Excise Management Act 1979 (c. 2)*
- 24 *Estate Agents Act 1979 (c. 38)*
- 25 *Indecent Displays (Control) Act 1981 (c. 42)*
- 26 *Forgery and Counterfeiting Act 1981 (c. 45)*
- 27 *Betting and Gaming Duties Act 1981 (c. 63)*
- 28 The power of seizure conferred by paragraph 17(2) of Schedule...
- 29 The power of seizure conferred by paragraph 17(2) of Schedule...
- 30 *Firearms (Northern Ireland) Order 1981 (S.I. 1981 155 (N.I. 2))*
- 31 *Weights and Measures (Northern Ireland) Order 1981 (S.I. 1981 231 (N.I. 10))*
- 32 *Insurance Companies Act 1982 (c. 50)*
- 33 *Dogs (Northern Ireland) Order 1983 (S.I. 1983 764 (N.I. 8))*
- 34 *Video Recordings Act 1984 (c. 39)*
- 35 *Companies Act 1985 (c. 6)*
- 36 *Weights and Measures Act 1985 (c. 72)*
- 37 The power of seizure conferred by paragraph 4 of Schedule...
- 38 *Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 (S.I. 1985 1204 (N.I. 11))*
- 39 *Protection of Military Remains Act 1986 (c. 35)*
- 40 *Financial Services Act 1986 (c. 60)*
- 41 *Greater London Council (General Powers) Act 1986 (c. iv)*
- 42 *Companies (Northern Ireland) Order 1986 (S.I. 1986 1032 (N.I. 6))*
- 43 *Banking Act 1987 (c. 22)*
- 44 *Criminal Justice Act 1987 (c. 38)*
- 45 *Consumer Protection Act 1987 (c. 43)*
- 46 *Consumer Protection (Northern Ireland) Order 1987 (S.I. 1987 2049 (N.I. 20))*
- 47 *Criminal Justice Act 1988 (c. 33)*
- 48 *Copyright, Designs and Patents Act 1988 (c. 48)*
- 49 *Criminal Justice (International Co-operation) Act 1990 (c. 5)*
- 50 *Food Safety Act 1990 (c. 16)*
- 51 *Computer Misuse Act 1990 (c. 18)*
- 52 *Human Fertilisation and Embryology Act 1990 (c. 37)*
- 53 *Property Misdescriptions Act 1991 (c. 29)*
- 54 *Dangerous Dogs Act 1991 (c. 65)*
- 55 *Food Safety (Northern Ireland) Order 1991 (S.I. 1991 762 (N.I. 7))*
- 56 *Timeshare Act 1992 (c. 35)*
- 56A *Charities Act 1993 (c. 10)*
- 57 *Finance Act 1994 (c. 9)*
- 58 *Value Added Tax Act 1994 (c. 23)*
- 58A *Trade Marks Act 1994 (c. 26)*
- 59 *Drug Trafficking Act 1994 (c. 37)*
- 60 *Chemical Weapons Act 1996 (c. 6)*
- 61 *Finance Act 1996 (c. 8)*

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- 62 *Proceeds of Crime (Northern Ireland) Order 1996 (S.I. 1996 1299 (N.I. 9))*
- 63 *Knives Act 1997 (c. 21)*
- 64 *Nuclear Explosions (Prohibitions and Inspections) Act 1998 (c. 7)*
- 65 *Data Protection Act 1998 (c. 29)*
- 66 *Landmines Act 1998 (c. 33)*
- 67 *Competition Act 1998 (c. 41)*
- 68 *Nuclear Safeguards Act 2000 (c. 5)*
- 69 *Financial Services and Markets Act 2000 (c. 8)*
- 70 *Terrorism Act 2000 (c. 11)*
- 71 Each of the powers of seizure conferred by the provisions...
- 72 *Finance Act 2000 (c. 17)*
- 73 *Freedom of Information Act 2000 (c. 36)*
- 73A *Proceeds of Crime Act 2002 (c. 29)*
- 73B *Enterprise Act 2002*
- 73BA The power of seizure conferred by section 227C of the...
- 73C *Crime (International Co-operation) Act 2003*
- 73D *Extradition Act 2003 (c. 41)*
- 73E *Human Tissue Act 2004 (c. 30)*
- 73F *Serious Organised Crime and Police Act 2005*
- 73G General Product Safety Regulations 2005
- 73H The power of seizure conferred by section 28 of the...
- 73J The Money Laundering Regulations 2007
- 73K The Transfer of Funds (Information on the Payer) Regulations 2007
 - Part 2 — POWERS TO WHICH SECTION 51 APPLIES
- 74 *Police and Criminal Evidence Act 1984 (c. 60)*
- 75 *Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989 1341 (N.I. 12))*
- 76 *Firearms Act 1968 (c. 27)*
- 77 *Misuse of Drugs Act 1971 (c. 38)*
- 78 *Immigration Act 1971 (c. 77)*
- 79 *Biological Weapons Act 1974 (c. 6)*
- 80 *Firearms (Northern Ireland) Order 1981 (S.I. 1981 155 (N.I. 2))*
- 81 *Criminal Justice and Public Order Act 1994 (c. 33)*
- 81A *Criminal Law (Consolidation)(Scotland) Act 1995 (c. 39)*
- 82 *Terrorism Act 2000 (c. 11)*
- 83 Each of the powers of seizure conferred by the provisions...
- 83A *Extradition Act 2003 (c. 41)*
 - Part 3 — POWERS TO WHICH SECTION 55 APPLIES
- 84 *Police and Criminal Evidence Act 1984 (c. 60)*
- 85 *Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989 1341 (N.I. 12))*
- 86 *Official Secrets Act 1911 (c. 28)*
- 87 *Children and Young Persons (Harmful Publications) Act 1955 (c. 28)*
- 88 *Obscene Publications Act 1959 (c. 66)*
- 89 *Betting, Gaming and Lotteries Act 1963 (c. 2)*
- 90 *Licensing Act 1964 (c. 26)*
- 91 *Firearms Act 1968 (c. 27)*
- 92 *Theft Act 1968 (c. 60)*
- 93 *Gaming Act 1968 (c. 65)*
- 94 *Theft Act (Northern Ireland) 1969 (c. 16 (N.I.))*
- 95 *Immigration Act 1971 (c. 77)*
- 96 *Biological Weapons Act 1974 (c. 6)*

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- 98 *Protection of Children Act 1978 (c. 37)*
- 99 *Protection of Children (Northern Ireland) Order 1978 (S.I. 1978 1047 (N.I. 17))*
- 100 *Indecent Displays (Control) Act 1981 (c. 42)*
- 101 *Forgery and Counterfeiting Act 1981 (c. 45)*
- 102 *Firearms (Northern Ireland) Order 1981 (S.I. 1981 155 (N.I. 2))*
- 103 *Video Recordings Act 1984 (c. 39)*
- 104 *Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 (S.I. 1985 1204 (N.I. 11))*
- 105 *Criminal Justice Act 1988 (c. 33)*
- 106 *Copyright, Designs and Patents Act 1988 (c. 48)*
- 107 *Computer Misuse Act 1990 (c. 18)*
- 107A *Trade Marks Act 1994 (c. 26)*
- 108 *Drug Trafficking Act 1994 (c. 37)*
- 109 *Terrorism Act 2000 (c. 11)*
- 110 *Proceeds of Crime Act 2002 (c. 29)*
- 112 *Gambling Act 2005*
- 113 The power of seizure conferred by section 28 of the...

SCHEDULE 2 — Applications and minor and consequential amendments

Part 1 — APPLICATION OF ENACTMENTS

- 1 *Notice of tests*
- 2 Section 31 of the Fair Trading Act 1973 (c. 41)...
- 3 Section 30(6) and (7) of the Consumer Protection Act 1987...
- 4 Article 23(6) and (7) of the Consumer Protection (Northern Ireland)...
- 4A Regulation 23(6) of the General Product Safety Regulations 2005 (provision...)
- 5 *Access to seized items*
- 6 *Compensation for seizure and detention*
- 7 Section 163 of the Consumer Credit Act 1974 (c. 39)...
- 8 Section 34 of the Consumer Protection Act 1987 (compensation for...)
- 9 Article 26 of the Consumer Protection (Northern Ireland) Order 1987...
- 9A Regulation 26 of the General Product Safety Regulations 2005 (compensation...)
- 10 *Forfeiture of seized items*
- 11 *Disclosure of information*
- 12 *Interpretation*

Part 2 — MINOR AND CONSEQUENTIAL AMENDMENTS

- 13 (1) In each of the provisions mentioned in sub-paragraph (2)...
- 14 In paragraph 5 of Schedule 1 to each of the...
- 15 In section 46(3) of the Firearms Act 1968 (c. 27)...
- 16 (1) In each of the provisions mentioned in sub-paragraph (2)...
- 17 In sections 434(6) and 447(9) of the Companies Act 1985...
- 18 In section 32 of the Food Safety Act 1990 (c....)
- 19 In Article 33 of the Food Safety (Northern Ireland) Order...
- 20 In paragraph 3(1)(b) of the Schedule to the Property Misdescriptions...
- 21 In sections 27(5)(e) and 28(2)(f) of the Competition Act 1998...
- 22 In section 8(2)(c) of the Nuclear Safeguards Act 2000 (c....)
- 23 In section 2 of the Criminal Justice Act 1987 (c....)
- 24 In section 7 of the Criminal Justice (International Co-operation) Act...
- 25 In section 8 of the Criminal Justice (International Co-operation) Act...
- 26 Section 426 of the Financial Services and Markets Act 2000...

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27 In paragraph 29(1)(a) of Schedule 5 to the Terrorism Act...

SCHEDULE 3 — The Central Police Training and Development Authority

- 1 *Constitution of the Authority*
- 2 *Disqualification*
- 3 (1) Subject to sub-paragraphs (2) and (3), a person shall...
- 4 *Tenure of office*
- 5 A person shall be appointed to hold office as a...
- 6 A person may at any time resign his office as...
- 7 The Secretary of State may remove a person from office...
- 8 *Eligibility for re-appointment*
- 9 *Remuneration, pensions etc. of members*
- 10 *Members of staff of the Authority*
- 11 *Staff remuneration and pensions*
- 12 (1) Employment as a member of staff of the Authority...
- 13 *Status of staff members as constables*
- 14 *Liability for acts of police members of staff*
- 15 *Committees*
- 16 *Delegation to committees*
- 17 *Proceedings*
- 18 The acts and proceedings of any person appointed to be...
- 19 The proceedings of the Authority shall not be invalidated by...
- 20 *Application of seal and evidence*
- 21 A document purporting to be— (a) duly executed by the...
- 22 *Status*
- 23 *Money*
- 24 (1) The Authority may impose such charges as they consider...
- 25 (1) Subject to sub-paragraph (3), the Authority may, in the...
- 26 (1) The Authority shall— (a) keep proper accounts and proper...

SCHEDULE 4 — Consequential amendments relating to police training

- 1 *The Public Records Act 1958 (c. 51)*
- 2 *The Parliamentary Commissioner Act 1967 (c. 13)*
- 3 *The Superannuation Act 1972 (c. 11)*
- 4 *The House of Commons Disqualification Act 1975 (c. 24)*
- 5 *The Northern Ireland Assembly Disqualification Act 1975 (c. 25)*
- 6 *Amendments of Police Pensions Act 1976 (c. 35)*
- 7 *The Police Act 1996 (c. 16)*
- 8 *The Freedom of Information Act 2000 (c. 36)*

SCHEDULE 5 — The Service Authorities for NCIS and NCS

Part 1 — CORE MEMBERS

- 1 Part 1 of Schedule 1 to the 1997 Act (appointment...
- 2 In paragraph 1 (number of core members), for “ten” there...
- 3 In paragraph 2 (three core members to be appointed by...
- 4 In paragraph 3 (two core members to be chief officers...
- 5 In paragraph 4 (four core members to be local authority...
- 6 For paragraph 6 (one core member to be Crown servant...
- 7 After paragraph 6 (and immediately before the new paragraph 6B...

Part 2 — OTHER MEMBERS OF NCIS SERVICE AUTHORITY

- 8 In Part 2 of Schedule 1 to the 1997 Act...
- 9 (1) Paragraph 8 of that Part (appointment of other members...

Part 3 — OTHER MEMBERS OF NCS SERVICE AUTHORITY

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- 10 (1) In Part 3 of Schedule 1 to the 1997...
- 11 In paragraph 10 of that Part (appointment of other members...
Part 4 — GENERAL
- 12 In Part 4 of Schedule 1 to the 1997 Act...
- 13 In paragraph 13 of that Part (clerk to Service Authority...
- 14 Paragraph 14 of that Part (meaning of “local authority members...

SCHEDULE 6 — Minor and consequential amendments relating to NCIS and NCS

Part 1 — THE 1997 ACT

- 1 The 1997 Act shall be amended in accordance with this...
- 2 In section 1 (the NCIS Service Authority)—
- 3 In section 2 (general functions of the NCIS Service Authority...
- 4 In section 3 (objectives determined by NCIS Service Authority), in...
- 5 In section 4 (service plans), in subsection (5) (persons to...
- 6 In section 5 (annual reports), in subsection (3) (persons to...
- 7 In section 6 (appointment of Director General of NCIS), in...
- 8 In section 9 (members of NCIS), in subsection (8) (delegation...
- 9 In section 26 (setting of objectives by Secretary of State),...
- 10 In section 41 (arrangements for consultation)— (a) in subsection (1)...
- 11 In section 47 (the NCS Service Authority)—
- 12 In section 48 (general functions of NCS Service Authority and...
- 13 In section 49 (objectives determined by the NCS Service Authority),...
- 14 In section 50 (service plans), in subsection (5) (persons to...
- 15 In section 51 (annual reports), in subsection (3) (persons to...
- 16 In section 52 (appointment of Director General of National Crime...
- 17 In section 55 (members of National Crime Squad), in subsection...
- 18 In section 71 (setting of objectives by Secretary of State),...
- 19 In section 85 (arrangements for consultation)— (a) in subsection (1)...
- 20 (1) In Schedule 2 (other provisions about members of Service...
- 21 After Schedule 2, there shall be inserted the following Schedule—...

Part 2 — LOCAL GOVERNMENT ENACTMENTS RELATING TO NCS SERVICE AUTHORITY

- 22 *Local Government Act 1972 (c. 70)*
- 23 In section 94 (disability of members of authorities for voting...
- 24 In section 98, the following shall be omitted—
- 25 In section 99 (meeting and proceedings of local authorities), the...
- 26 In section 100J (application to joint authorities etc. of provision...
- 27 In section 107 (application to police authorities of provisions relating...
- 28 In section 146A (application to police authorities of miscellaneous
powers...
- 29 In section 223 (appearance of local authorities in legal proceedings),...
- 30 In section 228 (inspection of documents), in subsection (7A), the...
- 31 The words “and the Service Authority for the National Crime...
- 32 In Schedule 12 (meetings and proceedings of local authorities), the...
- 33 *Local Government Act 1974 (c. 7)*
- 34 *Local Government (Miscellaneous Provisions) Act 1976 (c. 57)*
- 35 In section 44 of that Act (interpretation), in subsection (1)(a)...
- 36 *Local Government, Planning and Land Act 1980 (c. 65)*
- 37 In section 99 of that Act (directions to dispose of...
- 38 In Schedule 16 to that Act (bodies to whom provisions...
- 39 *Local Government (Miscellaneous Provisions) Act 1982 (c. 30)*
- 40 In section 41 of that Act (lost and uncollected property),...
- 41 *Local Government Act 1986 (c. 10)*

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- 42 In section 9 of that Act (interpretation of provisions relating...
- 43 *Local Government Act 1988 (c. 9)*
- 44 In Schedule 2 to that Act, in the list of...
- 45 *Local Government Finance Act 1988 (c. 41)*
- 46 In section 111, in subsection (2) (definition of “relevant authority”...
- 47 In section 112 (financial administration as to certain police and...
- 48 In section 114 (functions of chief finance officer as regards...
- 49 *Local Government and Housing Act 1989 (c. 42)*
- 50 In section 21, in subsection (1) (definition of local authority...
- 51 In section 39, in subsection (1) (authorities to which provisions...
- 52 In section 67 (application of provisions relating to companies in...
- 53 In section 155 (emergency assistance to local authorities), in subsection...
- 54 In section 157 (commutation of, and interest on, periodic payments...
- Part 3 — MISCELLANEOUS OTHER ENACTMENTS
- 55 *Public Records Act 1958 (c. 51)*
- 56 *Parliamentary Commissioner Act 1967 (c. 13)*
- 57 *Employers’ Liability (Compulsory Insurance) Act 1969 (c. 57)*
- 58 *Local Authorities (Goods and Services) Act 1970 (c. 39)*
- 59 *Employers’ Liability (Defective Equipment and Compulsory Insurance) (Northern Ireland) Order 1972 (N.I. 6)*
- 60 *House of Commons Disqualification Act 1975 (c. 24)*
- 61 *Northern Ireland Assembly Disqualification Act 1975 (c. 25)*
- 62 *Rent (Agriculture) Act 1976 (c. 80)*
- 63 *Rent Act 1977 (c. 42)*
- 64 *Finance Act 1981 (c. 35)*
- 65 *Acquisition of Land Act 1981 (c. 67)*
- 66 *County Courts Act 1984 (c. 28)*
- 67 *Housing Act 1985 (c. 51)*
- 68 *Housing Associations Act 1985 (c. 69)*
- 69 *Landlord and Tenant Act 1985 (c. 70)*
- 70 *Landlord and Tenant Act 1987 (c. 31)*
- 71 *Income and Corporation Taxes Act 1988 (c. 1)*
- 72 *Local Government Finance Act 1988 (c. 41)*
- 73 In section 65A (Crown property), in subsection (4)(b) for the...
- 74 *Housing Act 1988 (c. 50)*
- 75 *Town and Country Planning Act 1990 (c. 8)*
- 76 *Local Government Finance Act 1992 (c. 14)*
- 77 *Police Act 1996 (c. 16)*
- 78 *Housing Grants, Construction and Regeneration Act 1996 (c. 53)*
- 79 In section 3 (persons ineligible for certain grants), in subsection...
- 80 In section 64, in subsection (7)(persons ineligible to participate in...

SCHEDULE 7 — Repeals and revocations

- Part 1 — PROVISIONS FOR COMBATting ALCOHOL-RELATED DISORDER
- Part 2 — FINGERPRINTS AND SAMPLES
- Part 3 — POLICE TRAINING
- Part 4 — POLICE ORGANISATION
- Part 5 — NCIS AND NCS
- Part 6 — MISCELLANEOUS

Status:

Point in time view as at 01/12/2001.

Changes to legislation:

Criminal Justice and Police Act 2001 is up to date with all changes known to be in force on or before 09 June 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.