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Serious Organised Crime and Police Act 2005

CHAPTER 15

SERIOUS ORGANISED CRIME AND POLICE ACT 2005

PART 1

THE SERIOUS ORGANISED CRIME AGENCY

CHAPTER 1

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- 1 Establishment of Serious Organised Crime Agency

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- 2A Functions of SOCA as to the recovery of assets
- 3 Functions of SOCA as to information relating to crime
- 4 Exercise of functions: general considerations

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- 6 Annual plans
- 7 Annual reports

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- 9 Strategic priorities
- 10 Codes of practice
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- 19 Charges by SOCA and other receipts
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- 22 Activities in Scotland in relation to crime
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- 25 Directed arrangements: Scotland
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- 26 Use by SOCA of police premises etc.
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- 28 Liability of SOCA for acts of seconded staff etc.
- 29 Payment by SOCA of amounts in connection with unlawful conduct of employees etc.
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- 32 Use of information by SOCA
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- 34 Disclosure of information to SOCA
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- 36 General duty of police to pass information to SOCA
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- 56 Application of discrimination legislation to SOCA seconded staff

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 64 Restrictions on requiring information etc.
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 67 Offences in connection with disclosure notices or search warrants

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 69 Manner in which disclosure notice may be given
 70 Interpretation of Chapter 1

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- 110 Powers of arrest
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- 113 Search warrants: premises
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- 115 Power to stop and search for prohibited fireworks

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- 116 Photographing of suspects etc.

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- 117 Fingerprints
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- 119 Intimate samples

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- 120 Staff custody officers: designation
- 121 Custody officers: amendments to PACE

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- 122 Powers of designated and accredited persons

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- 123 Provision of information for use by police staff

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- 124 Interpretation of Part 3

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- 125 Harassment intended to deter lawful activities
- 126 Harassment etc. of a person in his home
- 127 Harassment etc: police direction to stay away from person's home

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Trespass on designated site

- 128 Offence of trespassing on designated site
- 129 Corresponding Scottish offence
- 130 Designated sites: powers of arrest
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- 134 Authorisation of demonstrations in designated area
- 135 Supplementary directions
- 136 Offences under sections 132 to 135: penalties
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- 138 The designated area

Anti-social behaviour

- 139 Orders about anti-social behaviour etc.
- 140 Variation and discharge of anti-social behaviour orders made on conviction
- 141 Anti-social behaviour orders etc: reporting restrictions
- 142 Contracting out of local authority functions relating to anti-social behaviour orders
- 143 Special measures for witnesses in proceedings for anti-social behaviour orders etc.

Parental compensation orders

- 144 Parental compensation orders

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Protection of activities of certain organisations

- 145 Interference with contractual relationships so as to harm animal research organisation
- 146 Intimidation of persons connected with animal research organisation
- 147 Penalty for offences under sections 145 and 146
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Vehicle registration and insurance and road traffic offences

- 150 Offence in respect of incorrectly registered vehicles
- 151 Power of constables etc. to require production of registration documents in respect of a vehicle
- 152 Power to seize etc. vehicles driven without licence or insurance
- 153 Disclosure of information about insurance status of vehicles
- 154 Power to require specimens of breath at roadside or at hospital etc.
- 155 Payments by Secretary of State to local policing body in relation to the prevention, detection and enforcement of certain traffic offences
- 156 Payments by Scottish Ministers to Scottish Police Authority in relation to the prevention, detection and enforcement of certain traffic offences

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Local policing information

- 157 Publication of local policing information

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- 158 Responsibilities in relation to the health and safety etc. of police
 159 Investigations: accelerated procedure in special cases
 160 Investigations: deaths and serious injuries during or after contact with the police

Royal Parks etc.

- 161 Abolition of Royal Parks Constabulary
 162 Regulation of specified parks

Criminal record checks

- 163 Criminal record certificates
 164 Criminal records checks: verification of identity
 165 Certain references to police forces
 166 Further amendments to Police Act 1997 as it applies to Scotland
 167 Part 5 of the Police Act 1997: Northern Ireland
 168 Part 5 of the Police Act 1997: Channel Islands and Isle of Man

Witness summonses

- 169 Powers of Crown Court and Magistrates' Court to issue witness summons
 170 Powers of courts-martial etc. to issue warrants of arrest in respect of witnesses

Private Security Industry Act 2001: Scotland

- 171 Private Security Industry Act 2001: Scottish extent

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 173 Supplementary, incidental, consequential etc. provision
 174 Minor and consequential amendments, repeals and revocations
 175 Penalties for offences: transitional modification for England and Wales
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SCHEDULES

- SCHEDULE 1 — The Serious Organised Crime Agency
 Part 1 — THE BOARD OF SOCA

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Membership

- 1 (1) SOCA shall consist of— (a) a chairman,

Tenure of office: chairman and ordinary members

- 2 The chairman and the ordinary members shall hold and vacate...
3 (1) An appointment of a person to hold office as...
4 The Secretary of State may by notice in writing remove...
5 A person who ceases to be the chairman or an...

Remuneration, pensions etc. of chairman and ordinary members

- 6 (1) SOCA shall pay to the chairman and each of...

Termination of office of ex-officio members

- 7 (1) The Director General ceases to be an ex-officio member...
Part 2 — DIRECTOR GENERAL AND OTHER STAFF

SOCA's staff

- 8 (1) SOCA shall have— (a) a Director General (see paragraph...

The Director General

- 9 (1) The Director General shall be— (a) appointed by the...

Termination or suspension of appointment of Director General

- 10 (1) The Secretary of State may call on the Director...

Delegation of functions of Director General

- 11 (1) Anything authorised or required to be done by the...

Remuneration and pensions of staff

- 12 (1) SOCA shall pay to its employees such remuneration and...
13 (1) SOCA may pay, or make payments in respect of,...

Insurance

- 14 The Employers' Liability (Compulsory Insurance) Act 1969 (c. 57)
does...
Part 3 — COMMITTEES, PROCEDURE ETC.

Committees

- 15 (1) SOCA may establish committees. (2) Any committee so
established...

Delegation to committees and staff

- 16 (1) SOCA may, to such extent as it may determine,...

Proceedings

- 17 (1) Subject to the following provisions of this paragraph, SOCA...

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- 18 (1) The validity of any proceedings of SOCA, or any...

Evidence

- 19 Any document purporting to be signed on behalf of SOCA...
 Part 4 — GENERAL

Status

- 20 (1) Subject to sub-paragraphs (2) to (4), SOCA is not...

Incidental powers

- 21 (1) In connection with exercising its functions SOCA may (subject...

SCHEDULE 2 — Functions of Independent Police Complaints Commission in
 relation to SOCA

- 1 The Police Reform Act 2002 (c. 30) has effect subject...
 2 In section 9(3) (persons ineligible for appointment as members of...
 3 (1) Section 10 (general functions of the Commission) is amended...
 4 (1) Section 11 (reports) is amended as follows.
 5 (1) Section 15 (general duties of police authorities etc.) is...
 6 In section 16 (payment for assistance with investigations), for
 subsections...
 7 Omit section 25 (NCIS and NCS).
 8 After section 26 insert— Serious Organised Crime Agency (1) The
 Commission and the Serious Organised Crime Agency must...
 9 In section 29(3) (interpretation)— (a) for paragraph (b) substitute—
 10 In section 108(7) (extent etc.), omit paragraph (e).
 11 (1) Schedule 3 (handling of complaints and conduct matters) is...

SCHEDULE 3 — Transfers to SOCA

Interpretation

- 1 In this Schedule— “the 1967 Act” means the Police (Scotland)...

Staff

- 2 (1) A transfer scheme may provide for a person who—...
 3 A transfer scheme may provide— (a) for relevant service within...
 4 (1) A transfer scheme may provide— (a) for the secondment...
 5 (1) A transfer scheme may provide— (a) for the transfer...
 6 (1) A transfer scheme may provide for a person who—...
 7 (1) A transfer scheme may provide for the termination of...

Property, rights and liabilities etc.

- 8 (1) A transfer scheme may provide for the transfer to...
 9 A transfer scheme may provide for SOCA to make any...

Supplementary

- 10 (1) A transfer scheme may contain— (a) further provision in...
 11 (1) Before making a transfer scheme which contains any provision...

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Power to make regulations

12 The Secretary of State may by regulations make—

SCHEDULE 4 — Minor and consequential amendments relating to SOCA

Explosives Act 1875 (c. 17)

1 (1) Section 75 of the Explosives Act 1875 is amended...

Police (Property) Act 1897 (c. 30)

2 (1) Section 2A of the Police (Property) Act 1897 (application...

Army Act 1955 (3 & 4 Eliz. 2 c. 18)

3 In section 83BC(2) of the Army Act 1955 (police forces...

Air Force Act 1955 (3 & 4 Eliz. 2 c. 19)

4 In section 83BC(2) of the Air Force Act 1955 (police...

Naval Discipline Act 1957 (c. 53)

5 In section 52IJ(2) of the Naval Discipline Act 1957 (police...

Public Records Act 1958 (c. 51)

6 In Schedule 1 to the Public Records Act 1958 (definition...

Trustee Investments Act 1961 (c. 62)

7 The Trustee Investments Act 1961 has effect subject to the...

8 In section 11(4) (local authority investment schemes)—

9 In Part 2 of Schedule 1 (narrower-range investments requiring advice)...

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

10 In section 90(4) of the Offices, Shops and Railway Premises...

Parliamentary Commissioner Act 1967 (c. 13)

11 In Schedule 2 to the Parliamentary Commissioner Act 1967
(departments...

Police (Scotland) Act 1967 (c. 77)

12 The Police (Scotland) Act 1967 has effect subject to the...

13 In section 33 (inspectors of constabulary), in subsections (3) and...

14 (1) Section 38A (constables engaged on service outside their force)...

15 In section 39(4) (liability for wrongful acts of constables) for...

16 In section 41(4)(a) (assaults on constables) omit “or by a...

Leasehold Reform Act 1967 (c. 88)

17 In section 28(5) of the Leasehold Reform Act 1967 (bodies...

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Firearms Act 1968 (c. 27)

18 In section 54(3)(c) of the Firearms Act 1968 (application of...

Employment Agencies Act 1973 (c. 35)

19 In section 13(7) of the Employment Agencies Act 1973 (interpretation),...

Health and Safety at Work etc. Act 1974 (c. 37)

20 In section 51A(2) of the Health and Safety at Work...

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

21 In section 12(1) of the District Courts (Scotland) Act 1975...

House of Commons Disqualification Act 1975 (c. 24)

22 The House of Commons Disqualification Act 1975 has effect subject...

23 In section 1(1) (disqualification for membership of House of Commons)...

24 (1) Schedule 1 (disqualifying offices) is amended as follows.

Northern Ireland Assembly Disqualification Act 1975 (c. 25)

25 The Northern Ireland Assembly Disqualification Act 1975 has effect subject...

26 In section 1(1) (disqualification for membership of Assembly) omit paragraph...

27 (1) Schedule 1 (disqualifying offices) is amended as follows.

Sex Discrimination Act 1975 (c. 65)

28 In section 17 of the Sex Discrimination Act 1975 (police),...

Police Pensions Act 1976 (c. 35)

29 The Police Pensions Act 1976 has effect subject to the...

30 In section 7(2) (payment of pensions and contributions), at the...

31 (1) Section 11 (interpretation) is amended as follows.

32 Paragraphs 30 and 31 (and the corresponding entry in Schedule...

Race Relations Act 1976 (c. 74)

33

34

35

Sex Discrimination (Northern Ireland) Order 1976 (S.I. 1976/1042 (N.I. 15))

36 The Sex Discrimination (Northern Ireland) Order 1976 has effect subject...

37 In Article 84(8) (police officers) for “section 23 of the...

38 In Article 85 (other police bodies), for paragraph (6) substitute—...

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Health and Safety at Work (Northern Ireland) Order 1978 (S.I. 1978/1039 (N.I. 9))

39 In Article 47A(2) of the Health and Safety at Work...

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

40 In Part 1 of Schedule 1 to the Law Reform...

Stock Transfer Act 1982 (c. 41)

41 In Schedule 1 to the Stock Transfer Act 1982 (securities...

Road Traffic Regulation Act 1984 (c. 27)

42 (1) Section 87 of the Road Traffic Regulation Act 1984...

Police and Criminal Evidence Act 1984 (c. 60)

43 The Police and Criminal Evidence Act 1984 has effect subject...

44 In section 5 (reports of recorded searches and road checks)...

45 In section 55 (intimate searches) omit subsection (14A).

46 In section 63A(1A) (supplementary provision about fingerprints and samples) for...

Prosecution of Offences Act 1985 (c. 23)

47 In section 3(3) of the Prosecution of Offences Act 1985...

Ministry of Defence Police Act 1987 (c. 4)

48 The Ministry of Defence Police Act 1987 has effect subject...

49 In section 2B(3) (constables serving with other forces), in the...

50 After section 2B insert— Constables serving with Serious Organised Crime...

Dartford-Thurrock Crossing Act 1988 (c. 20)

51 In section 19(a) of the Dartford-Thurrock Crossing Act 1988 (exemption...

Road Traffic Act 1988 (c. 52)

52 The Road Traffic Act 1988 shall have effect subject to...

53 (1) In section 124 (exemption from requirements regarding paid driving...

54 In section 144(2) (exemption from requirement of third-party insurance or...

Security Service Act 1989 (c. 5)

55 The Security Service Act 1989 has effect subject to the...

56 In section 1(4) (functions of the Security Service) for “,...

57 In section 2(2)(c) (duties of the Director General)—

Official Secrets Act 1989 (c. 6)

58 In section 12(1)(e) of the Official Secrets Act 1989 (meaning...

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Aviation and Maritime Security Act 1990 (c. 31)

59 In section 22(4)(b) of the Aviation and Maritime Security Act...

Tribunals and Inquiries Act 1992 (c. 53)

60 The Tribunals and Inquiries Act 1992 has effect subject to...
 61 In section 7(2) (removal of members of certain tribunals) after...
 62 In Schedule 1 (tribunals to which that Act applies) in...

Criminal Appeal Act 1995 (c. 35)

63 (1) Section 22 of the Criminal Appeal Act 1995 (meaning...

Disability Discrimination Act 1995 (c. 50)

64 The Disability Discrimination Act 1995 has effect subject to the...
 65 (1) The section 64A (police) inserted by the Disability Discrimination...
 66 In the section 64A (police) inserted by the Disability Discrimination...
 67 (1) The section 64B (other police bodies) inserted by the...

Police Act 1996 (c. 16)

68 The Police Act 1996 has effect subject to the following...
 69 Omit section 23(8) (collaboration agreements).
 70 Omit section 24(5) (mutual aid).
 71 (1) Section 54 (appointment and functions of inspectors of constabulary)...
 72 In section 55 (publication of reports) omit subsection (7).
 73 (1) Section 57 (common services) is amended as follows.
 74 Omit section 59(8) (police federations).
 75 Omit section 60(2A) (regulations for police federations).
 76 In section 61(1) (police negotiating board) omit paragraphs (aa) and...
 77 (1) Section 62 (functions of negotiating board with respect to...
 78 (1) Section 63 (police advisory boards) is amended as follows...
 79 In section 64 (membership of trade unions) omit subsections (4A)...
 80 (1) Section 88 (liability for wrongful acts of constables) is...
 81 In section 89(4)(a) (assaults on constables) omit “or by a...
 82 (1) Section 97 (police officers engaged on service outside their...
 83 (1) Section 98 (cross-border aid) is amended as follows.

Employment Rights Act 1996 (c. 18)

84 The Employment Rights Act 1996 has effect subject to the...
 85 In section 43KA(2) (application of Part 4A of that Act...
 86 In section 50(2) (right to time off for public duties)...
 87 In section 134A (application of section 100 of that Act...

Juries (Northern Ireland) Order 1996 (S.I. 1996/1141 (N.I. 6))

88 In Schedule 2 to the Juries (Northern Ireland) Order 1996...

Employment Rights (Northern Ireland) Order 1996 (S.I. 1996/1919 (N.I. 16))

89 The Employment Rights (Northern Ireland) Order 1996 has effect subject...
 90 In Article 67KA(3) (application of Part VA of that Order...

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- 91 In Article 72A(2) (application of Article 68 of that Order...
- 92 In Article 169A(2) (application of Article 132 of that Order...

Police (Health and Safety) Act 1997 (c. 42)

- 93 In section 5(3) of the Police (Health and Safety) Act...

Police Act 1997 (c. 50)

- 94 The Police Act 1997 has effect subject to the following...
- 95 Omit sections 1 to 87 (provision about NCIS and NCS...
- 96 Omit sections 89 and 90 (general provision about NCS).
- 97 (1) Section 93 (authorisations to interfere with property) is amended...
- 98 (1) Section 94 (authorisations in absence of authorising officer) is...
- 99 (1) Section 95 (form and duration of authorisations) is amended...
- 100 (1) Section 97 (authorisations requiring approval) is amended as follows...
- 101 In section 105(3) (supplementary provision about appeals) for “, (d),...
- 102 In section 107(4)(b) (exclusions from Chief Commissioner's report) for “Service...
- 103 (1) Section 109 (Police Information Technology Organisation) is amended as...
- 104 (1) Section 111 (interpretation of Part 5) is amended as...
- 105 In section 137(2) (extent) omit paragraphs (b) and (c).
- 106 Omit Schedules 1 to 2A (Service Authorities for NCIS and...

Race Relations (Northern Ireland) Order 1997 (S.I. 1997/869 (N.I. 6))

- 107 The Race Relations (Northern Ireland) Order 1997 has effect subject...
- 108 In Article 72A(8) (police officers) for “section 23 of the...
- 109 In Article 72B (other police bodies), for paragraph (6) substitute—...

Police (Health and Safety) (Northern Ireland) Order 1997 (S.I. 1997/1774 (N.I. 16))

- 110 In Article 7(3) of the Police (Health and Safety) (Northern...

Audit Commission Act 1998 (c. 18)

- 111 In section 32(1) of the Audit Commission Act 1998 (documents...

Data Protection Act 1998 (c. 29)

- 112 In section 56(6) of the Data Protection Act 1998 (prohibition...

Police (Northern Ireland) Act 1998 (c. 32)

- 113 The Police (Northern Ireland) Act 1998 has effect subject to...
- 114 (1) Section 27 (members of Police Service of Northern Ireland...
- 115 In section 29(5) (liability for wrongful acts of constables) for...
- 116 In section 41 (inspectors of constabulary) for subsections (3) and...
- 117 (1) Section 42 (publication of reports of inspectors of constabulary)...

Crime and Disorder Act 1998 (c. 37)

- 118 Omit section 113 of the Crime and Disorder Act 1998...

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Fair Employment and Treatment (Northern Ireland) Order 1998 (S.I. 1998/3162 (N.I. 21))

- 119 The Fair Employment and Treatment (Northern Ireland) Order 1998 has...
- 120 In Article 94(6) (police officers) for “section 23 of the...
- 121 In Article 94A (other police bodies), for paragraph (6) substitute—...

Immigration and Asylum Act 1999 (c. 33)

- 122 The Immigration and Asylum Act 1999 has effect subject to...
- 123 In section 20(1) (supply of information to Secretary of State)...
- 124 (1) Section 21 (supply of information by Secretary of State)...

Terrorism Act 2000 (c. 11)

- 125 The Terrorism Act 2000 has effect subject to the following...
- 126 In section 19(7B) (duty to disclose information)—
- 127 In section 20(5) (permission to disclose information)—
- 128 In section 21A(14) (failure to disclose: regulated sector)—
- 129 In section 21B(7) (protected disclosures)— (a) for “person” substitute “...“
- 130 In Schedule 14 (exercise of officers' powers), in paragraph 4(1),...

Regulation of Investigatory Powers Act 2000 (c. 23)

- 131 The Regulation of Investigatory Powers Act 2000 has effect subject...
- 132 (1) Section 6 (application for issue of an interception warrant)...
- 133 (1) In section 17(3) (exclusion of matters from legal proceedings)...
- 134 (1) In section 19(2) (unauthorised disclosures) for paragraphs (c) and...
- 135 (1) Section 25 (interpretation) is amended as follows.
- 136 In section 32(6) (authorisation of intrusive surveillance) for paragraphs (k)...
- 137 (1) Section 33 (rules for grant of authorisation) is amended...
- 138 (1) Section 34 (grant of authorisations in absence of senior...
- 139 (1) Section 35 (notification of certain authorisations) is amended as...
- 140 (1) Section 36 (approval required for authorisations to take effect)...
- 141 In section 37(1) (quashing of police and customs authorisations) for...
- 142 In section 40 (duty to provide information to Surveillance Commissioners)...
- 143 In section 45(6) (cancellation of authorisations)— (a) at the end...
- 144 In section 46(3) (restriction on authorisations extending to Scotland) after...
- 145 In section 49(1)(e) (notices requiring disclosure) after “the police” (in...
- 146 (1) Section 51 (cases in which key required) is amended...
- 147 In section 54(3) (tipping-off) after “police” (in both places) insert...
- 148 (1) Section 55 (duties of specified authorities) is amended as...
- 149 In section 56(1) (interpretation)— (a) in the definition of “chief...
- 150 In section 58(1) (co-operation with Commissioner) for paragraphs (b) and...
- 151 In section 65(6) (the Tribunal) for paragraphs (d) and (e)...
- 152 In section 68(7) (disclosure to Tribunal) for paragraphs (b) and...
- 153 In section 75(6) (authorisations under Part 3 of Police Act)...
- 154 (1) Section 76A (foreign surveillance operations) is amended as follows....
- 155 (1) In Schedule 1 (relevant authorities) for paragraphs 2 and...

Status: Point in time view as at 25/03/2020.

Changes to legislation: Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 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)

156 (1) Schedule 2 (persons having appropriate permission) is amended as...

Football (Disorder) Act 2000 (c. 25)

157 Omit section 2 of the Football (Disorder) Act 2000 (disclosure...

Freedom of Information Act 2000 (c. 36)

158 The Freedom of Information Act 2000 has effect subject to...

159 In section 23(3) (bodies supplying information which is exempt) omit...

160 In Schedule 1 (list of public authorities), in Part 6,...

Criminal Justice and Court Services Act 2000 (c. 43)

161 In section 71(1) and (2)(a) of the Criminal Justice and...

Criminal Justice and Police Act 2001 (c. 16)

162 The Criminal Justice and Police Act 2001 has effect subject...

163 In section 88(8) (functions of Central Police Training and Development...

164 (1) Section 104 (vice-chairmen) is amended as follows.

165 (1) Section 107 (payment of allowances to authority members) is...

166 Omit sections 108 to 121 (provision about NCIS and NCS...

167 Omit section 138(6)(d) (extent).

Proceeds of Crime Act 2002 (c. 29)

168 The Proceeds of Crime Act 2002 has effect subject to...

169 In section 313(1) (restriction on performance by police of functions...

170 In section 330(5)(a) (required disclosure of information regarding money laundering)...

171 In section 331(5)(a) (required disclosure of information regarding money laundering)...

172 In section 332(5)(a) (required disclosure of information regarding money laundering)...

173 In section 336 (giving of consent by a nominated officer)...

174 In section 340(13) (interpretation of references to constable) for “the...

175 In section 378(5) (interpretation of references to officers) for “the...

176 In section 436(5) (persons permitted to disclose information to the...

177 In section 439(5) (persons permitted to disclose information to the...

178 In section 445(2)(b) (external investigations) for “the Director General of...

Police Reform Act 2002 (c. 30)

179 The Police Reform Act 2002 has effect subject to the...

180 Omit section 8 (powers of Secretary of State in relation...

181 (1) Section 38 (exercise of police powers by civilian employees)...

182 In section 42 (supplementary provisions relating to exercise of police...

183 (1) Section 45 (code of practice relating to exercise of...

184 In section 47(1) (interpretation) omit the definitions of “Director General”...

185 (1) Section 82 (police nationality requirements) is amended as follows....

186 Omit sections 85 to 91 (NCIS and NCS: general provisions)....

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- 187 Omit section 93 (quorum for NCIS and NCS service authorities)....
- 188 (1) Section 102 (liability for wrongful acts of constables) is...
- 189 (1) Section 103 (liability in respect of members of teams)...
- 190 In Schedule 4 (powers exercisable by police civilians), in paragraph...

Crime (International Co-operation) Act 2003 (c. 32)

- 191 Omit section 85 (liability of NCIS in respect of foreign...

Courts Act 2003 (c. 39)

- 192 In section 41(6)(c) of the Courts Act 2003 (disqualification of...

Sexual Offences Act 2003 (c. 42)

- 193 The Sexual Offences Act 2003 has effect subject to the...
- 194 In section 94(3) (supply of information for verification) for paragraphs...
- 195 In section 95(2) (supply of information by Secretary of State)...

Criminal Justice Act 2003 (c. 44)

- 196 In section 29(5) of the Criminal Justice Act 2003 (persons...

Energy Act 2004 (c. 20)

- 197 The Energy Act 2004 has effect subject to the following...
- 198 In section 59(3) (members of civil nuclear constabulary serving with...
- 199 After section 59 insert— Constables serving with Serious Organised Crime...

Domestic Violence, Crime and Victims Act 2004 (c. 28)

- 200 In Schedule 9 to the Domestic Violence, Crime and Victims...

SCHEDULE 5 — Persons specified for the purposes of section 82

- 1 A person who is or might be, or who has...
- 2 A person who has complied with a disclosure notice given...
- 3 (1) A person who has been given an immunity notice...
- 4 A person who is or has been a member of...
- 5 A person who holds or has held judicial office (whether...
- 6 A person who is or has been a justice of...
- 7 A person who is or has been a member of...
- 8 A person who conducts or has conducted criminal prosecutions (whether...
- 9 (1) A person who is or has been the Director...
- 10 (1) A person who is or has been the Director...
- 11 A person who is or has been under the direction...
- 12 (1) A person who ... has been the Director of...
- 13 A person who is or has been a constable.
- 14 A person who is or has been designated under—
- 15 A person who is a police custody and security officer...
- 16 A person who— (a) is or has been an officer...
- 17 A person who is or has been a person appointed...
- 17A A person who is or has been a National Crime...
- 18 A person who is or has been a member of...
- 19 (1) A person who is or has been the Director...

Status: Point in time view as at 25/03/2020.

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- 20 (1) A person who ... has been the Director of...
- 20A (1) A person who ... has been the Director General...
- 21 (1) A person who ... has been the Director of...
- 22 (1) A person who is or has been the head...
- 23 (1) A person who is or has been a person...
- 24 (1) A person who is or has been a person...
- 25 (1) A person who is or has been the head...
- 26 A person who is or has been a prison officer....
- 27 A person who is or has been a covert human...
- 28 A person— (a) who is a member of the family...

SCHEDULE 6 — Minor and consequential amendments relating to Chapter 6 of Part 2

Prescription and Limitation (Scotland) Act 1973 (c. 52)

- 1 In section 19B(3) of the Prescription and Limitation (Scotland) Act...

Limitation Act 1980 (c. 58)

- 2 In section 27A(3) of the Limitation Act 1980 (time limits...

Limitation (Northern Ireland) Order 1989 (S.I. 1989/1339 (N.I. 11))

- 3 In Article 72A(3) of the Limitation (Northern Ireland) Order 1989...

Proceeds of Crime Act 2002 (c. 29)

- 4 The Proceeds of Crime Act 2002 (c. 29) is amended...
- 5 In section 82(f) (confiscation: England and Wales: property is free...
- 6 In section 148(f) (confiscation: Scotland: property is free property if...
- 7 In section 230(f) (confiscation: Northern Ireland: property is free property...
- 8 In section 241(2)(a) (conduct occurring outside the United Kingdom that...
- 9 In section 243 (proceedings for recovery orders in England and...
- 10 Before section 248 (and its heading) insert the following heading—...
- 11 (1) Section 248 (registration: England and Wales) is amended as...
- 12 (1) Section 249 (registration: Northern Ireland) is amended as follows....
- 13 Before section 250 (and its heading) insert the following heading—...
- 14 (1) Section 252 (interim receiving orders: prohibition on dealings) is...
- 15 In section 266 (recovery orders), after subsection (8) insert—
- 16 In section 271(4) (certain payments to trustee for civil recovery...
- 17 In section 272(5) (provision in recovery orders for compensation for...
- 18 In section 280(2) (application of realised proceeds of recovery order) —...
- 19 In section 283 (compensation where interim receiving order etc. has...
- 20 After section 286 insert— Legal expenses excluded from freezing: required...
- 21 In section 287 (financial threshold for starting proceedings), in subsections...
- 22 (1) Section 316(1) (interpretation of Part 5) is amended as...
- 23 In section 432 (insolvency practitioners), in subsections (1)(b), (8)(a) and...

Status: Point in time view as at 25/03/2020.

Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 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)*

SCHEDULE 7 — Powers of Arrest: supplementary
 Part 1 — SPECIFIC REPEALS

Unlawful Drilling Act 1819 (60 Geo. 3 & 1 Geo. 4 c. 1)

- 1 In section 2 of the Unlawful Drilling Act 1819 (power...

Vagrancy Act 1824 (c. 83)

- 2 Section 6 of the Vagrancy Act 1824 (power to apprehend)...

Railway Regulation Act 1842 (c. 55)

- 3 Section 17 of the Railway Regulation Act 1842 (punishment of...

Companies Clauses Consolidation Act 1845 (c. 16)

- 4 In section 156 of the Companies Clauses Consolidation Act 1845...

Railways Clauses Consolidation Act 1845 (c. 20)

- 5 (1) The Railways Clauses Consolidation Act 1845 is amended as...

Licensing Act 1872 (c. 94)

- 6 In section 12 of the Licensing Act 1872 (penalty on...

Public Stores Act 1875 (c. 25)

- 7 In section 12 of the Public Stores Act 1875 (powers...

London County Council (General Powers) Act 1894 (c. ccxii)

- 8 In section 7 of the London County Council (General Powers)...

London County Council (General Powers) Act 1900 (c. cclxviii)

- 9 In section 27 of the London County Council (General Powers)...

Licensing Act 1902 (c. 28)

- 10 (1) The Licensing Act 1902 is amended as follows.

Protection of Animals Act 1911 (c. 27)

- 11 In section 12 of the Protection of Animals Act 1911...

Official Secrets Act 1911 (c. 28)

- 12 Section 6 of the Official Secrets Act 1911 (power of...

Public Order Act 1936 (1 Edw. 8 & 1 Geo. 6 c. 6)

- 13 In section 7 of the Public Order Act 1936 (enforcement),...

Street Offences Act 1959 (c. 57)

- 14 In section 1 of the Street Offences Act 1959 (loitering...

Status: Point in time view as at 25/03/2020.

Changes to legislation: Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 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)

Criminal Justice Act 1967 (c. 80)

15 In section 91 of the Criminal Justice Act 1967 (drunkenness...

*Ministry of Housing and Local Government Provisional Order
Confirmation (Greater London Parks and Open Spaces) Act 1967 (c. xxix)*

16 In Article 19 (power of detention) of the Order set...

Theft Act 1968 (c. 60)

17 In section 25 of the Theft Act 1968 (going equipped...

Port of London Act 1968 (c. xxxii)

18 Section 170 of the Port of London Act 1968 (power...

Criminal Law Act 1977 (c. 45)

19 (1) The Criminal Law Act 1977 is amended as follows....

Theft Act 1978 (c. 31)

20 In section 3 of the Theft Act 1978 (making off...

Animal Health Act 1981 (c. 22)

21 (1) The Animal Health Act 1981 is amended as follows....

Local Government (Miscellaneous Provisions) Act 1982 (c. 30)

22 In Schedule 3 to the Local Government (Miscellaneous Provisions)
Act...

Aviation Security Act 1982 (c. 36)

23 In section 28 of the Aviation Security Act 1982 (byelaws...

Police and Criminal Evidence Act 1984 (c. 60)

24 (1) The Police and Criminal Evidence Act 1984 is amended...

Sporting Events (Control of Alcohol etc.) Act 1985 (c. 57)

25 In section 7 of the Sporting Events (Control of Alcohol...

Public Order Act 1986 (c. 64)

26 (1) The Public Order Act 1986 is amended as follows....

Road Traffic Act 1988 (c. 52)

27 (1) The Road Traffic Act 1988 is amended as follows....

Football Spectators Act 1989 (c. 37)

28 In section 2 of the Football Spectators Act 1989 (offences...

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Changes to legislation: Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 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)

Transport and Works Act 1992 (c. 42)

29 In section 30 of the Transport and Works Act 1992...

Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52)

30 In section 241 of the Trade Union and Labour Relations...

Criminal Justice and Public Order Act 1994 (c. 33)

31 (1) The Criminal Justice and Public Order Act 1994 is...

Reserve Forces Act 1996 (c. 14)

32 In Schedule 2 to the Reserve Forces Act 1996 (deserters...

Confiscation of Alcohol (Young Persons) Act 1997 (c. 33)

33 In section 1 of the Confiscation of Alcohol (Young Persons)...

Crime and Disorder Act 1998 (c. 37)

34 In section 31 of the Crime and Disorder Act 1998...

Criminal Justice and Police Act 2001 (c. 16)

35 In the Criminal Justice and Police Act 2001—

Anti-social Behaviour Act 2003 (c. 38)

36 In the Anti-social Behaviour Act 2003— (a) in section 4...

Hunting Act 2004 (c. 37)

37 Section 7 of the Hunting Act 2004 (arrest) shall cease...

Part 2 — GENERAL REPEAL

38 So much of the enactments set out in the second...

Part 3 — AMENDMENTS RELATING TO REFERENCES TO ARRESTABLE
OFFENCES AND SERIOUS ARRESTABLE OFFENCES

Criminal Law Act 1826 (c. 64)

39 In section 28 of the Criminal Law Act 1826 (which...

Criminal Law Act 1967 (c. 58)

40 (1) The Criminal Law Act 1967 is amended as follows....

Port of London Act 1968 (c. xxxii)

41 (1) The Port of London Act 1968 is amended as...

Solicitors Act 1974 (c. 47)

42 (1) The Solicitors Act 1974 is amended as follows.

Police and Criminal Evidence Act 1984 (c. 60)

43 (1) The Police and Criminal Evidence Act 1984 is amended...

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Administration of Justice Act 1985 (c. 61)

44 In section 16 of the Administration of Justice Act 1985...

Housing Act 1985 (c. 68)

45 In Part 1 of Schedule 2 to the Housing Act...

Housing Act 1988 (c. 50)

46 In Part 2 of Schedule 2 to the Housing Act...

Criminal Justice and Public Order Act 1994 (c. 33)

47 (1) The Criminal Justice and Public Order Act 1994 is...

Terrorism Act 2000 (c. 11)

48 (1) In Schedule 8 to the Terrorism Act 2000 (detention),...

International Criminal Court Act 2001 (c. 17)

49 (1) The International Criminal Court Act 2001 is amended as...

Armed Forces Act 2001 (c. 19)

50 In section 5 of the Armed Forces Act 2001 (power...

Crime (International Co-operation) Act 2003 (c. 32)

51 (1) The Crime (International Co-operation) Act 2003 is amended as...
Part 4 — OTHER AMENDMENTS

Game Laws (Amendment) Act 1960 (c. 36)

52 (1) The Game Laws (Amendment) Act 1960 is amended as...

Immigration Act 1971 (c. 77)

53 In section 28A of the Immigration Act 1971 (arrest without...

Customs and Excise Management Act 1979 (c. 2)

54 In section 138 of the Customs and Excise Management Act...

Animal Health Act 1981 (c. 22)

55 (1) The Animal Health Act 1981 is amended as follows....

Wildlife and Countryside Act 1981 (c. 69)

56 In section 19 of the Wildlife and Countryside Act 1981...

Aviation Security Act 1982 (c. 36)

57 In section 13 of the Aviation Security Act 1982 (power...

Police and Criminal Evidence Act 1984 (c. 60)

58 In section 17 of the Police and Criminal Evidence Act...

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Road Traffic Act 1988 (c. 52)

59 In section 184 of the Road Traffic Act 1988 (application...

Aviation and Maritime Security Act 1990 (c. 31)

60 In section 22 of the Aviation and Maritime Security Act...

Deer Act 1991 (c. 54)

61 In section 12 of the Deer Act 1991 (powers of...

Gangmasters (Licensing) Act 2004 (c. 11)

62 The Gangmasters (Licensing) Act 2004 is amended as follows—

Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19)

63 The Asylum and Immigration (Treatment of Claimants, etc.) Act 2004...

SCHEDULE 8 — Powers of designated and accredited persons

Part 1 — DESIGNATED PERSONS

1 Schedule 4 to the Police Reform Act 2002 (c. 30)...

Community support officers

- 2 After paragraph 1 insert— Power to require name and address...
- 3 (1) Paragraph 2 (power to detain etc.) is amended...
- 4 After paragraph 2 insert— Powers to search individuals and to...
- 5 In paragraph 3 (power to require name and address of...
- 6 After paragraph 3 insert— Power to require name and address:...
- 7 In paragraph 4 (power to use reasonable force to detain...
- 8 After paragraph 7 insert— Search and seizure powers: alcohol and...
- 9 After paragraph 8 insert— Entry to investigate licensing offences (1)
Where a designation applies this paragraph to any person,...
- 10 After paragraph 11A insert— Power to control traffic for purposes...
- 11 After paragraph 13 insert— Power to place traffic signs (1) Where a
designation applies this paragraph to any person,...
- 12 After paragraph 15 insert— Photographing of persons arrested, detained
or...

Investigating officers

- 13 In paragraph 16 (search warrants)— (a) in paragraph (a), for...
- 14 After paragraph 16 insert— Where a designation applies this paragraph
to any person—
- 15 In paragraph 17 (access to excluded and special procedure material)—...

Detention officers

- 16 After paragraph 33 insert— Taking of impressions of footwear Where a
designation applies this paragraph to any person—
- Part 2 — ACCREDITED PERSONS
- 17 Schedule 5 to the Police Reform Act 2002 (c. 30)...
- 18 In paragraph 2 (power to require giving of name and...
- 19 After paragraph 3 insert— Power to require name and address:...
- 20 After paragraph 8A insert— Power to control traffic for purposes...

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- 21 After paragraph 9 insert— Photographing of persons given fixed penalty...

SCHEDULE 9 — Additional powers and duties of designated persons

- 1 Schedule 4 to the Police Reform Act 2002 (c. 30)...

Community Support Officers

- 2 In paragraph 2 (power to detain etc.), after sub-paragraph...
3 In paragraph 4 (power to use reasonable force to detain...
4 After paragraph 4 insert— Where a designation applies this paragraph to any person, that...

Investigating officers

- 5 In paragraph 22 (power to transfer persons into custody of...
6 After paragraph 22 insert— Powers in respect of detained persons...

Detention officers

- 7 After paragraph 33A (inserted by paragraph 16 of Schedule 8)...

Escort officers

- 8 (1) Paragraph 34 (power to take an arrested person to...
9 (1) Paragraph 35 (escort of persons in police detention) is...

Staff custody officers

- 10 Additional powers and duties of designated persons

SCHEDULE 10 — Parental compensation orders

Part 1 — ENGLAND AND WALES

- 1 The Crime and Disorder Act 1998 (c. 37) is amended...
2 After section 13 insert— Parental compensation orders (1) A magistrates' court may make an order under this...
3 (1) Section 8 (parenting orders) is amended as follows.
4 In section 18 (interpretation of Chapter 1), in subsection (1),...
5 In section 114 (orders and regulations), in subsection (3), after...
6 The amendments made by paragraph 2 of this Schedule do...

Part 2 — NORTHERN IRELAND

- 7 The Criminal Justice (Children) (Northern Ireland) Order 1998 (S.I. 1998/1504)...
8 After Article 36 insert— Parental compensation orders (1) A magistrates' court may make an order under this...
9 In Article 2 (interpretation), in paragraph (2), in the appropriate...
10 The amendments made by paragraph 8 of this Schedule do...

SCHEDULE 11 — Investigations into conduct of police officers: accelerated procedure in special cases

- 1 Schedule 3 to the Police Reform Act 2002 (c. 30)...
2 In paragraph 20(1)— (a) for “until” substitute until—
3 After paragraph 20 insert— Accelerated procedure in special cases (1) If, at any time before the completion of his...
4 In paragraph 25, after sub-paragraph (2) insert—

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SCHEDULE 12 — Investigations of deaths and serious injuries during or after contact with the police

- 1 The Police Reform Act 2002 (c. 30) has effect subject...
- 2 (1) Section 10(2) (general functions of the Commission) is amended...
- 3 In section 12 (matters to which Part 2 applies), after...
- 4 In the following provisions, for “and conduct matters” substitute “...
- 5 (1) Section 16(2) (assistance for which payment is required) is...
- 6 In section 18 (inspection of police premises on behalf of...
- 7 (1) Section 21 (duty to provide information) is amended as...
- 8 (1) Section 22 (power of Commission to issue guidance) is...
- 9 (1) Section 23(2) (regulations) is amended as follows.
- 10 (1) Section 29 (interpretation) is amended as follows.
- 11 Schedule 3 (handling of complaints and conduct matters) is amended...
- 12 After paragraph 14 insert— Part 2A handling of death and...
- 13 In paragraph 15(1)(a) and (8) (power of the Commission to...
- 14 (1) Paragraph 16 (investigations by the appropriate authority on its...
- 15 (1) Paragraph 17 (investigations supervised by the Commission) is amended...
- 16 (1) Paragraph 18 (investigations managed by the Commission) is amended...
- 17 (1) Paragraph 19 (investigations by the Commission itself) is amended...
- 18 In paragraph 20(1) (restrictions on proceedings pending the conclusion of...
- 19 In paragraph 21(4) (power of the Commission to discontinue an...
- 20 After paragraph 21 insert— Procedure where conduct matter is revealed...
- 21 For paragraph 22 (final reports on investigations) substitute— Final reports...
- 22 (1) In the heading preceding paragraph 23, after “investigation report”...
- 23 (1) In the heading preceding paragraph 24, after “investigation report”...
- 24 After paragraph 24 insert— Final reports on investigations: other DSI...

SCHEDULE 13 — Abolition of Royal Parks Constabulary: supplementary Part 1 — TRANSFERS TO METROPOLITAN POLICE AUTHORITY

Interpretation

- 1 In this Part of this Schedule— “the Authority” means the...

Establishment of eligibility for transfer

- 2 The Secretary of State may by regulations impose requirements in...
- 3 (1) The Secretary of State may terminate the Crown employment...

Relevant persons

- 4 (1) A transfer scheme may provide for any relevant person...
- 5 (1) A transfer scheme may provide for the appointment as...

Property, rights and liabilities, etc.

- 6 (1) The transfer scheme may provide for the transfer of...

Status: Point in time view as at 25/03/2020.

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Consultation

- 7 Before making a transfer scheme which contains any provision relating...

Termination of employment

- 8 The Secretary of State may by regulations make provision as...
Part 2 — AMENDMENTS

Royal Parks (Trading) Act 2000 (c. 13)

- 9 In section 4 of the Royal Parks (Trading) Act 2000...

Regulation of Investigatory Powers Act 2000 (c. 23)

- 10 In Schedule 1 to the Regulation of Investigatory Powers Act...

Police Reform Act 2002 (c. 30)

- 11 The Police Reform Act 2002 has effect subject to the...
12 (1) Section 82 (police nationality requirements) is amended as follows...
13 (1) Schedule 4 (powers exercisable by police civilians) is amended...

SCHEDULE 14 — Amendments of Part 5 of Police Act 1997

- 1 Part 5 of the Police Act 1997 (c. 50) (certificates...
2 In section 114(3) for “Section 113(3) to (5)” substitute “...
3 In section 116— (a) in the application to Scotland of...
4 In section 119— (a) in subsection (1A) for “section 113(3A)...
5 In section 119A(2) for the words from “under” to “adults”...
6 In section 120— (a) in subsection (3)(b) for “113 or...
7 In section 120ZA(4)(b) for “113 or 115” substitute “ 113A...
8 In section 120A (as inserted by section 134(1) of the...
9 In section 120B (as inserted by section 70 of the...
10 In section 121 for “under section 114(2), 115(4) or (10),...
11 In section 122(3) and (4)(b) for “113 or 115” substitute...
12 In section 124— (a) in subsections (1), (2), (3), (4)...
13 In section 124B— (a) in subsection (1) for “113” substitute...
14 In section 125, at the end add—

SCHEDULE 15 — Private Security Industry Act 2001: Scottish extent

- 1 The Private Security Industry Act 2001 (c. 12) is amended...
2 In section 2 (directions etc. by the Secretary of State)—...
3 After section 2 insert— Authority to be treated as cross-border...
4 In section 3 (conduct prohibited without a licence), after subsection...
5 In section 7 (licensing criteria), after subsection (5) insert—
6 In section 11 (appeals in licensing matters)—
7 In section 13 (licensing at local authority level), at the...
8 In section 15(1) (duty to secure arrangements are in force...
9 In section 18 (appeals relating to approvals)—
10 In section 23 (criminal liability of directors etc.), the existing...
11 In section 24 (consultation with Security Industry Authority before making...
12 In section 26 (short title, commencement and extent)—

Status: Point in time view as at 25/03/2020.

Changes to legislation: Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 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)

- 13 In Schedule 1 (the Security Industry Authority)—
14 In Schedule 2 (activities liable to control under the Private...

SCHEDULE 16 — Remaining minor and consequential amendments (search warrants)

Incitement to Disaffection Act 1934 (c. 56)

- 1 In section 2 of the Incitement to Disaffection Act 1934...

Public Order Act 1936 (1 Edw. 8 & 1 Geo. 6 c. 6)

- 2 In section 2 of the Public Order Act 1936 (prohibition...

Wireless Telegraphy Act 1949 (c. 54)

- 3

Licensing Act 1964 (c. 26)

- 4 Until their repeal by the Licensing Act 2003 (c. 17),...

Biological Weapons Act 1974 (c. 6)

- 5 In section 4 of the Biological Weapons Act 1974 (powers...

Copyright, Designs and Patents Act 1988 (c. 48)

- 6 (1) The Copyright, Designs and Patents Act 1988 is amended...

Computer Misuse Act 1990 (c. 18)

- 7 In section 14 of the Computer Misuse Act 1990 (search...

Trade Marks Act 1994 (c. 26)

- 8 In section 92A of the Trade Marks Act 1994 (search...

SCHEDULE 17 — Repeals and revocations

Part 1 — REPEALS COMING INTO FORCE ON ROYAL ASSENT

Part 2 — OTHER REPEALS AND REVOCATIONS

Status:

Point in time view as at 25/03/2020.

Changes to legislation:

Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 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.