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Changes to legislation: Serious Organised Crime and Police Act 2005, SCHEDULE 4 is up to date with all changes known to be in force on or before 16 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 4

Section 59

MINOR AND CONSEQUENTIAL AMENDMENTS RELATING TO SOCA

VALID FROM 01/04/2006

Explosives Act 1875 (c. 17)

- 1 (1) Section 75 of the Explosives Act 1875 is amended as follows.
- (2) In subsection (1)—
- (a) after “chief officer of police,” insert “ the Director General of the Serious Organised Crime Agency, ”, and
 - (b) after “any officer of police,” insert “ designated person, ”.
- (3) For subsection (2) substitute—
- “(2) In subsection (1) “designated person” means a member of the staff of the Serious Organised Crime Agency who is for the time being designated under section 43 of the Serious Organised Crime and Police Act 2005 as a person having the powers of a constable (but this is subject to any limitation specified in such a person's designation under that section).”

VALID FROM 01/04/2006

Police (Property) Act 1897 (c. 30)

- 2 (1) Section 2A of the Police (Property) Act 1897 (application to NCS) is amended as follows.
- (2) For “National Crime Squad” (in each place) substitute “ Serious Organised Crime Agency ”.
- (3) In subsection (2)—
- (a) in paragraph (a) for “member of that Squad” substitute “ member of the staff of that Agency ”, and
 - (b) in paragraph (b) for “Squad” substitute “ Agency ”.
- (4) In subsection (3)—
- (a) in paragraph (a) for “the Service Authority for that Squad” substitute “ that Agency ”, and
 - (b) in paragraph (b) for “Squad” substitute “ Agency ”.
- (5) In the heading, for “NCS” substitute “ SOCA ”.

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VALID FROM 01/04/2006

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

- 3 In section 83BC(2) of the Army Act 1955 (police forces which may be advised by prosecuting authority) omit paragraph (k).

VALID FROM 01/04/2006

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

- 4 In section 83BC(2) of the Air Force Act 1955 (police forces which may be advised by prosecuting authority) omit paragraph (k).

VALID FROM 01/04/2006

Naval Discipline Act 1957 (c. 53)

- 5 In section 52IJ(2) of the Naval Discipline Act 1957 (police forces which may be advised by prosecuting authority) omit paragraph (k).

VALID FROM 01/04/2006

Public Records Act 1958 (c. 51)

- 6 In Schedule 1 to the Public Records Act 1958 (definition of public records) in Part 2 of the Table at the end of paragraph 3—
- (a) at the appropriate place insert— “ Serious Organised Crime Agency. ”;
 - and
 - (b) omit the entries relating to the Service Authorities for the National Crime Squad and the National Criminal Intelligence Service.

VALID FROM 01/04/2006

Trustee Investments Act 1961 (c. 62)

- 7 The Trustee Investments Act 1961 has effect subject to the following amendments.
- 8 In section 11(4) (local authority investment schemes)—
- (a) in paragraph (a) omit “, the Service Authority for the National Crime Squad”, and
 - (b) omit paragraph (e).

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

VALID FROM 01/04/2006

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

- 10 In section 90(4) of the Offices, Shops and Railway Premises Act 1963 (persons taken to be employed for the purposes of the Act)—
- (a) at the end of paragraph (c) insert “ or ”; and
 - (b) for paragraph (d) substitute—
 - “(d) a member of a police force seconded to the Serious Organised Crime Agency to serve as a member of its staff.”

VALID FROM 01/04/2006

Parliamentary Commissioner Act 1967 (c. 13)

- 11 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments etc. subject to investigation) omit the entries relating to the Service Authorities for the National Crime Squad and the National Criminal Intelligence Service.

VALID FROM 01/04/2006

Police (Scotland) Act 1967 (c. 77)

- 12 The Police (Scotland) Act 1967 has effect subject to the following amendments.
- 13 In section 33 (inspectors of constabulary), in subsections (3) and (4), omit “and the National Criminal Intelligence Service”.
- 14 (1) Section 38A (constables engaged on service outside their force) is amended as follows.
- (2) In subsection (1)—
 - (a) omit paragraph (ba), and
 - (b) after paragraph (bb) insert—
 - “(bc) relevant service as a member of the staff of the Serious Organised Crime Agency on which a person is engaged with the consent of the appropriate authority,”.
 - (3) In subsection (6)(a) for “(ba) or (bb), (e) or (f)” substitute “ (bb), (bc), (e) or (f) ”.
- 15 In section 39(4) (liability for wrongful acts of constables) for “section 23 of the Police Act 1997” substitute “ section 23 or 25 of the Serious Organised Crime and Police Act 2005 ”.

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16	In section 41(4)(a) (assaults on constables) omit “or by a member of the National Criminal Intelligence Service or of the National Crime Squad”.
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VALID FROM 01/04/2006

Leasehold Reform Act 1967 (c. 88)

17	In section 28(5) of the Leasehold Reform Act 1967 (bodies retaining or resuming land required for public services) omit paragraph (bc).
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VALID FROM 01/04/2006

Firearms Act 1968 (c. 27)

18	In section 54(3)(c) of the Firearms Act 1968 (application of Parts 1 and 2 to crown servants) for “National Criminal Intelligence Service or the National Crime Squad” substitute “ staff of the Serious Organised Crime Agency ”.
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VALID FROM 01/04/2006

Employment Agencies Act 1973 (c. 35)

19	In section 13(7) of the Employment Agencies Act 1973 (interpretation), in paragraph (f), omit “, the Service Authority for the National Criminal Intelligence Service, the Service Authority for the National Crime Squad”.
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VALID FROM 01/04/2006

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

20	In section 51A(2) of the Health and Safety at Work etc. Act 1974 (application of Part 1 of the Act to the police) for paragraph (b) substitute— “(b) in relation to a member of a police force seconded to the Serious Organised Crime Agency to serve as a member of its staff, means that Agency, and”.
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VALID FROM 01/04/2006

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

21	In section 12(1) of the District Courts (Scotland) Act 1975 (restriction of functions of justices who are councillors etc.) after “authority” insert “ or a member of staff of the Serious Organised Crime Agency ”.
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VALID FROM 01/04/2006

House of Commons Disqualification Act 1975 (c. 24)

- 22 The House of Commons Disqualification Act 1975 has effect subject to the following amendments.
- 23 In section 1(1) (disqualification for membership of House of Commons) omit paragraph (da).
- 24 (1) Schedule 1 (disqualifying offices) is amended as follows.
- (2) In Part 2—
- (a) at the appropriate place insert— “ The Serious Organised Crime Agency.”; and
- (b) omit the entries relating to the Service Authorities for the National Crime Squad and the National Criminal Intelligence Service.
- (3) In Part 3, at the appropriate place insert— “ Member of the staff of the Serious Organised Crime Agency.”

VALID FROM 01/04/2006

Northern Ireland Assembly Disqualification Act 1975 (c. 25)

- 25 The Northern Ireland Assembly Disqualification Act 1975 has effect subject to the following amendments.
- 26 In section 1(1) (disqualification for membership of Assembly) omit paragraph (da).
- 27 (1) Schedule 1 (disqualifying offices) is amended as follows.
- (2) In Part 2—
- (a) at the appropriate place insert— “ The Serious Organised Crime Agency.”; and
- (b) omit the entries relating to the Service Authorities for the National Crime Squad and the National Criminal Intelligence Service.
- (3) In Part 3, at the appropriate place insert— “ Member of the staff of the Serious Organised Crime Agency.”

VALID FROM 01/04/2006

Sex Discrimination Act 1975 (c. 65)

- 28 In section 17 of the Sex Discrimination Act 1975 (police), in subsection (7)—
- (a) in the definition of “chief officer of police”, omit paragraph (aa);
- (b) in the definition of “police authority”, omit paragraph (aa); and

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- (c) in the definition of “police fund”, omit the words from “, in relation to” (in the second place where they occur) to “the Police Act 1997”.

VALID FROM 01/04/2006

Police Pensions Act 1976 (c. 35)

- 29 The Police Pensions Act 1976 has effect subject to the following amendments.
- 30 In section 7(2) (payment of pensions and contributions), at the beginning of each of paragraphs (ca) to (cd), insert “ an employee of SOCA and who immediately before he became an employee of SOCA was serving as ”.
- 31 (1) Section 11 (interpretation) is amended as follows.
- (2) In subsection (1), at the beginning of each of paragraphs (ba), (bb), (bc) and (bd), after “service” insert “ as an employee of SOCA by a person who immediately before he became an employee of SOCA was serving ”.
- (3) In subsection (2) for paragraphs (c) and (d) substitute—
- “(c) in relation to any such service as is mentioned in paragraph (ba), (bb), (bc) or (bd) of subsection (1) or any service of the kind described in section 97(1)(cf) of the Police Act 1997 or section 38A(1)(bc) of the Police (Scotland) Act 1967, it means SOCA;”.
- (4) In subsection (5), in the definition of “central service”—
- (a) in paragraph (a) omit “(ca), (cb),” and after “(cc)” insert “ , (cf) ”, and
- (b) in paragraph (b) for “(ba) or (bb)” substitute “ (bb) or (bc) ”.
- (5) After the definition of “pension rights” in that subsection add—
- ““SOCA” means the Serious Organised Crime Agency.”
- 32 Paragraphs 30 and 31 (and the corresponding entry in Schedule 17) do not affect the operation of the Police Pensions Act 1976 in relation to any person's service of any of the following kinds—
- (a) service as the Director General of the National Criminal Intelligence Service;
- (b) service as the Director General of the National Crime Squad;
- (c) service as a police member of the National Criminal Intelligence Service appointed under subsection (1)(b) of section 9 of the Police Act 1997 (c. 50) by virtue of subsection (2)(a) of that section;
- (d) service as a police member of the National Crime Squad appointed under subsection (1)(b) of section 55 of the Police Act 1997 by virtue of subsection (2)(a) of that section;
- (e) relevant service within paragraph (ca) or (cb) of section 97(1) of the Police Act 1996 (c. 16);
- (f) relevant service within section 38A(1)(ba) of the Police (Scotland) Act 1967 (c. 77).

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VALID FROM 01/04/2006

Race Relations Act 1976 (c. 74)

- 33 The Race Relations Act 1976 has effect subject to the following amendments.
- 34 (1) Section 76B (other police bodies) is amended as follows.
- (2) Omit subsection (1).
- (3) In subsection (2) omit the word “also”.
- (4) After subsection (2) insert—
- “(2A) Constables serving with the Serious Organised Crime Agency do not constitute a body of constables for the purposes of subsection (2).”
- 35 In Schedule 1A (bodies and other persons subject to general statutory duty)—
- (a) in Part 1 omit paragraphs 59 and 60,
- (b) in Part 2 at the appropriate place under the heading “Other Bodies, Etc” insert— “ The Serious Organised Crime Agency. ”; and
- (c) in Part 3 omit the entry relating to the Director General of the National Crime Squad.

VALID FROM 01/04/2006

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

- 36 The Sex Discrimination (Northern Ireland) Order 1976 has effect subject to the following amendments.
- 37 In Article 84(8) (police officers) for “section 23 of the Police Act 1997” substitute “ section 23 or 24 of the Serious Organised Crime and Police Act 2005 ”.
- 38 In Article 85 (other police bodies), for paragraph (6) substitute—
- “(6) In this Article in relation to any body of constables—
- (a) “chief officer of police” means the person who has the direction and control of the body;
- (b) “police authority” means the authority by which the members of the body are paid; and
- (c) “police fund” means money provided by that authority.”

VALID FROM 01/04/2006

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 (Northern Ireland) Order 1978 (application of Part II of the Order to the police) omit sub-paragraph (b).

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

- 40 In Part 1 of Schedule 1 to the Law Reform (Miscellaneous Provisions) (Scotland) Act 1980 (persons ineligible for jury service) in Group B, after paragraph (nb) insert—
- “(nc) members of staff of the Serious Organised Crime Agency;”.

VALID FROM 01/04/2006

Stock Transfer Act 1982 (c. 41)

- 41 In Schedule 1 to the Stock Transfer Act 1982 (securities specified for the purposes of the Act) in paragraph 7(1)—
- (a) at the end of paragraph (b) insert “ or ”; and
- (b) omit paragraph (bb) and the word “or” before it.

Road Traffic Regulation Act 1984 (c. 27)

- 42 (1) Section 87 of the Road Traffic Regulation Act 1984 (exemption of fire, ambulance and police vehicles from speed limits) is amended as follows.
- (2) The existing text of that section is to be subsection (1).
- (3) After that subsection add—
- “(2) Subsection (1) above applies in relation to a vehicle being used—
- (a) for Serious Organised Crime Agency purposes, or
- (b) for training persons to drive vehicles for use for Serious Organised Crime Agency purposes,
- as it applies in relation to a vehicle being used for police purposes.
- (3) But (except where it is being used for training the person by whom it is being driven) subsection (1) above does not apply in relation to a vehicle by virtue of subsection (2) above unless it is being driven by a person who has been trained in driving vehicles at high speeds.”

Commencement Information

- II** Sch. 4 para. 42 in force at 1.1.2006 by [S.I. 2005/3495](#), [art. 2\(1\)\(l\)](#)

VALID FROM 01/04/2006

Police and Criminal Evidence Act 1984 (c. 60)

- 43 The Police and Criminal Evidence Act 1984 has effect subject to the following amendments.

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- 44 In section 5 (reports of recorded searches and road checks) omit subsection (1A).
- 45 In section 55 (intimate searches) omit subsection (14A).
- 46 In section 63A(1A) (supplementary provision about fingerprints and samples) for paragraphs (b) and (c) substitute—
“(b) the Serious Organised Crime Agency;”.

VALID FROM 01/04/2006

Prosecution of Offences Act 1985 (c. 23)

- 47 In section 3(3) of the Prosecution of Offences Act 1985 (functions of Director of Public Prosecutions), in the definition of “police force”, omit “, the National Crime Squad”.

VALID FROM 01/04/2006

Ministry of Defence Police Act 1987 (c. 4)

- 48 The Ministry of Defence Police Act 1987 has effect subject to the following amendments.
- 49 In section 2B(3) (constables serving with other forces), in the definitions of “chief officer” and “relevant force”, omit paragraphs (c) and (d).
- 50 After section 2B insert—

“2C Constables serving with Serious Organised Crime Agency

- (1) A member of the Ministry of Defence Police serving with the Serious Organised Crime Agency under arrangements to which subsection (2) applies shall—
- (a) be under the direction and control of the Serious Organised Crime Agency, and
 - (b) continue to be a constable.
- (2) This subsection applies to arrangements made between—
- (a) the Serious Organised Crime Agency, and
 - (b) the chief constable of the Ministry of Defence Police.”

VALID FROM 01/04/2006

Dartford-Thurrock Crossing Act 1988 (c. 20)

- 51 In section 19(a) of the Dartford-Thurrock Crossing Act 1988 (exemption from tolls) for sub-paragraph (ia) substitute—
“(ia) the Serious Organised Crime Agency;”.

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Road Traffic Act 1988 (c. 52)

- 52 The Road Traffic Act 1988 shall have effect subject to the following amendments.
- 53 (1) In section 124 (exemption from requirements regarding paid driving instruction) after subsection (1) insert—
- “(1A) Section 123(1) and (2) also does not apply to the giving of instruction by a SOCA instructor in pursuance of arrangements made by the Director General of the Serious Organised Crime Agency.
- In this subsection “SOCA instructor” means a member of the staff of the Serious Organised Crime Agency whose duties consist of or include the giving instruction in the driving of motor cars to other members of the Agency's staff.”
- (2) In subsection (2) of that section, omit the definitions of “chief officer of police”, “police authority” and “police force”.
- 54 In section 144(2) (exemption from requirement of third-party insurance or security) omit paragraph (ba).

VALID FROM 01/04/2006

Security Service Act 1989 (c. 5)

- 55 The Security Service Act 1989 has effect subject to the following amendments.
- 56 In section 1(4) (functions of the Security Service) for “, the National Criminal Intelligence Service, the National Crime Squad” substitute “, the Serious Organised Crime Agency”.
- 57 In section 2(2)(c) (duties of the Director General)—
- (a) for “the Director General of the National Criminal Intelligence Service” substitute “ the Director General of the Serious Organised Crime Agency”, and
- (b) for “, the National Criminal Intelligence Service, the National Crime Squad” substitute “, the Serious Organised Crime Agency”.

VALID FROM 01/04/2006

Official Secrets Act 1989 (c. 6)

- 58 In section 12(1)(e) of the Official Secrets Act 1989 (meaning of “Crown servant” in that Act) for “or of the National Criminal Intelligence Service or the National Crime Squad” substitute “ or of the Serious Organised Crime Agency”.

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VALID FROM 01/04/2006

Aviation and Maritime Security Act 1990 (c. 31)

- 59 In section 22(4)(b) of the Aviation and Maritime Security Act 1990 (searches in harbour areas) omit sub-paragraph (iii) and the word “or” before it.

VALID FROM 01/04/2006

Tribunals and Inquiries Act 1992 (c. 53)

- 60 The Tribunals and Inquiries Act 1992 has effect subject to the following amendments.
- 61 In section 7(2) (removal of members of certain tribunals) after “36A” omit “(a) or (b)”.
- 62 In Schedule 1 (tribunals under supervision of Council on Tribunals) in paragraph 36A omit “(a)” and sub-paragraph (b).

VALID FROM 01/04/2006

Criminal Appeal Act 1995 (c. 35)

- 63 (1) Section 22 of the Criminal Appeal Act 1995 (meaning of “public body” etc.) has effect subject to the following amendments.
- (2) In subsection (2)—
- (a) in paragraph (a) omit “, the National Crime Squad”,
 - (b) in paragraph (b)—
 - (i) at the end of sub-paragraph (i) insert “ and ”,
 - (ii) omit sub-paragraph (ii), and
 - (iii) at the end of sub-paragraph (iii) insert “ and ”,
 - (c) in paragraph (c) for “, the City of London police force or the National Crime Squad” substitute “ or the City of London police force ”, and
 - (d) omit paragraphs (d) and (e).
- (3) In subsection (4) for paragraph (aa) substitute—
- “(aa) in relation to the Serious Organised Crime Agency, the Director General of that Agency.”.

VALID FROM 01/04/2006

Disability Discrimination Act 1995 (c. 50)

- 64 The Disability Discrimination Act 1995 has effect subject to the following amendments.

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- 65 (1) The section 64A (police) inserted by the Disability Discrimination Act 1995 (Amendment) Regulations 2003 (S.I. 2003/1673) is amended as follows.
- (2) In subsection (7)—
- (a) in the definition of “chief officer of police”, omit paragraph (b),
 - (b) in the definition of “police authority”, omit paragraph (b), and
 - (c) in the definition of “police fund”, omit paragraph (b).
- 66 In the section 64A (police) inserted by the Disability Discrimination Act 1995 (Amendment) Regulations (Northern Ireland) 2004 (S.R. 2004/55), in subsection (6)(a), for “section 23 of the Police Act 1997” substitute “section 23 or 24 of the Serious Organised Crime and Police Act 2005”.
- 67 (1) The section 64B (other police bodies) inserted by the Disability Discrimination Act 1995 (Amendment) Regulations (Northern Ireland) 2004 is amended as follows.
- (2) For subsection (6) substitute—
- “(6) Subject to subsection (8), in this section in relation to any body of constables—
- (a) “chief officer of police” means the person who has the direction and control of the body;
 - (b) “police authority” means the authority by which the members of the body are paid; and
 - (c) “police fund” means money provided by that authority.”

VALID FROM 01/04/2006

Police Act 1996 (c. 16)

- 68 The Police Act 1996 has effect subject to the following amendments.
- 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) is amended as follows.
- (2) In subsection (2) omit “the National Criminal Intelligence Service and the National Crime Squad”.
- (3) For subsection (2B) substitute—
- “(2B) The Secretary of State may at any time require the inspectors of constabulary to carry out an inspection under this section of a police force maintained for any police area; and a requirement under this subsection may include a requirement for the inspection to be confined to a particular part of the force in question, to particular matters or to particular activities of that force.”
- 72 In section 55 (publication of reports) omit subsection (7).
- 73 (1) Section 57 (common services) is amended as follows.
- (2) In subsection (3A)—

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- (a) for “National Crime Squad” substitute “ Serious Organised Crime Agency ”, and
- (b) for “Squad for the Squad” substitute “ Agency for the Agency ”.
- (3) For subsection (4)(c) substitute—
- “ (c) if the regulations relate to the Serious Organised Crime Agency, that Agency.”
- 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 (ba).
- 77 (1) Section 62 (functions of negotiating board with respect to regulations) is amended as follows.
- (2) In subsection (1) omit paragraphs (aa) and (ab).
- (3) Omit the subsection (1A) inserted by paragraph 82(2) of Schedule 9 to the Police Act 1997 (c. 50).
- (4) Omit subsections (1B) and (1C).
- (5) In subsection (2) for “subsection (1), (1A) or (1B)” substitute “ subsection (1) or (1A) ”.
- 78 (1) Section 63 (police advisory boards) is amended as follows.
- (2) Omit subsections (1A) and (1B).
- (3) For subsection (3) substitute—
- “ (3) Before making—
- (a) regulations under section 50 or 52, other than regulations with respect to any of the matters mentioned in section 61(1), or
- (b) regulations under Part 2 of the Police Reform Act 2002,
- the Secretary of State shall supply the Police Advisory Board for England and Wales with a draft of the regulations, and take into consideration any representations made by that Board.”
- 79 In section 64 (membership of trade unions) omit subsections (4A) and (4B).
- 80 (1) Section 88 (liability for wrongful acts of constables) is amended as follows.
- (2) In subsection (5)(b) omit “or section 23 of the Police Act 1997”.
- (3) After subsection (5) insert—
- “ (5A) This section shall have effect where, by virtue of section 23 or 24 of the Serious Organised Crime and Police Act 2005, a member of the staff of the Serious Organised Crime Agency who is neither a constable nor an employee of the police authority is provided to a police force as if—
- (a) any unlawful conduct of his in the performance or purported performance of his functions were unlawful conduct of a constable under the direction and control of the chief officer of police of that force; and
- (b) subsection (4) applied to him in the case of the police authority maintaining that force.”

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- 81 In section 89(4)(a) (assaults on constables) omit “or by a member of the National Criminal Intelligence Service or of the National Crime Squad”.
- 82 (1) Section 97 (police officers engaged on service outside their force) is amended as follows.
- (2) In subsection (1)—
- (a) omit paragraphs (ca) and (cb),
- (b) the paragraph (cd) inserted by paragraph 30(2) of Schedule 11 to the Proceeds of Crime Act 2002 (c. 29) is to be paragraph (ce), and
- (c) after that paragraph insert—
- “(cf) temporary service as a member of the staff of the Serious Organised Crime Agency on which a person is engaged with the consent of the appropriate authority;”.
- (3) In subsection (6)(a) for the words from “paragraph” to “subsection (1)” substitute “paragraph (a), (aa), (b), (c), (cc), (cd), (ce), (cf), (d), (g) or (h) of subsection (1) ”.
- (4) In subsection (8) for the words from “paragraph” to “subsection (1)” substitute “paragraph (aa), (b), (c), (cc), (cd), (ce), (cf) or (d) of subsection (1) ”.
- 83 (1) Section 98 (cross-border aid) is amended as follows.
- (2) In subsections (2) and (3)—
- (a) omit “or the Director General of the National Crime Squad”, and
- (b) omit “or the National Crime Squad”.
- (3) Omit subsection (3A).
- (4) In subsection (4)—
- (a) omit “or the National Crime Squad”,
- (b) for “(2), (3) or (3A)” substitute “ (2) or (3) ”, and
- (c) omit “or the Director General of the National Crime Squad”.
- (5) In subsection (5)—
- (a) omit “or the National Crime Squad” (in both places), and
- (b) omit “or the Director General of the National Crime Squad”.
- (6) Omit subsection (6A).

VALID FROM 01/04/2006

Employment Rights Act 1996 (c. 18)

- 84 The Employment Rights Act 1996 has effect subject to the following amendments.
- 85 In section 43KA(2) (application of Part 4A of that Act to the police) for paragraphs (b) and (c) substitute—
- “(b) in relation to a member of a police force seconded to the Serious Organised Crime Agency to serve as a member of its staff, that Agency; and”.
- 86 In section 50(2) (right to time off for public duties) omit paragraph (ca).

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- 87 In section 134A (application of section 100 of that Act to the police) after subsection (2) add—
- “(3) Subsection (1) does not apply to the holding of the office of constable by a member of a police force on secondment to the Serious Organised Crime Agency.”

VALID FROM 01/04/2006

- Juries (Northern Ireland) Order 1996 (S.I. 1996/1141 (N.I. 6))*
- 88 In Schedule 2 to the Juries (Northern Ireland) Order 1996 omit the entry relating to members of the National Criminal Intelligence Service, members of the Service Authority for the National Criminal Intelligence Service and persons employed by the Authority.

VALID FROM 01/04/2006

- Employment Rights (Northern Ireland) Order 1996 (S.I. 1996/1919 (N.I. 16))*
- 89 The Employment Rights (Northern Ireland) Order 1996 has effect subject to the following amendments.
- 90 In Article 67KA(3) (application of Part VA of that Order to the police) omit sub-paragraph (b).
- 91 In Article 72A(2) (application of Article 68 of that Order to the police) omit sub-paragraph (b).
- 92 In Article 169A(2) (application of Article 132 of that Order to the police) omit sub-paragraph (b).

VALID FROM 01/04/2006

- Police (Health and Safety) Act 1997 (c. 42)*
- 93 In section 5(3) of the Police (Health and Safety) Act 1997—
- (a) in the definition of “relevant authority” omit paragraphs (c) and (d),
 - (b) in the definition of “relevant fund” omit paragraphs (b) and (c), and
 - (c) in the definition of “responsible officer” omit paragraph (b).

VALID FROM 01/04/2006

- Police Act 1997 (c. 50)*
- 94 The Police Act 1997 has effect subject to the following amendments.

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- 95 Omit sections 1 to 87 (provision about NCIS and NCS and their Service Authorities).
- 96 Omit sections 89 and 90 (general provision about NCS).
- 97 (1) Section 93 (authorisations to interfere with property) is amended as follows.
- (2) In subsection (1B) after “officer is a” insert “ member of the staff of the Serious Organised Crime Agency, ”.
- (3) In subsection (3) for paragraphs (b) and (c) substitute—
- “(b) if the authorising officer is within subsection (5)(f), by a member of the staff of the Serious Organised Crime Agency,”.
- (4) In subsection (5) for paragraphs (f) and (g) substitute—
- “(f) the Director General of the Serious Organised Crime Agency, or any member of the staff of that Agency who is designated for the purposes of this paragraph by that Director General;”.
- (5) In subsection (6) omit paragraphs (d) and (e).
- 98 (1) Section 94 (authorisations in absence of authorising officer) is amended as follows.
- (2) In subsection (1)—
- (a) in paragraph (a) for “or (e)” substitute “ , (e) or (f) ”,
- (b) at the end of paragraph (a) insert “ or ”,
- (c) in paragraph (b) for “ , (d) or (f)” substitute “ or (d) ”, and
- (d) omit paragraph (c) and the word “or” before it.
- (3) In subsection (2) for paragraphs (e) and (ea) substitute—
- “(e) where the authorising officer is within paragraph (f) of that subsection, by a person designated for the purposes of this section by the Director General of the Serious Organised Crime Agency;”.
- (4) Omit subsections (3) and (4)(c).
- 99 (1) Section 95 (form and duration of authorisations) is amended as follows.
- (2) In subsection (6) for “or (g)” substitute “ or (f) ”.
- (3) In subsection (7) for “ , (d), (f) or (g)” substitute “ or (d) ”.
- 100 (1) Section 97 (authorisations requiring approval) is amended as follows.
- (2) In subsection (6A)—
- (a) for “ , (e) or (g)” substitute “ or (e) ”, and
- (b) for “ , Chief Constable or, as the case may be, Director General” substitute “ or, as the case may be, Chief Constable ”.
- (3) After subsection (6A) insert—
- “(6B) The reference in subsection (6) to the authorising officer who gave the authorisation or in whose absence it was given shall be construed—
- (a) in the case of an authorisation given by a person within paragraph (f) of section 93(5), as a reference to that person, and
- (b) in the case of an authorisation given in the absence of such a person, as a reference to a member of the staff of the Serious Organised

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	Crime Agency who is designated for the purposes of this section by the Director General of that Agency.”
101	In section 105(3) (supplementary provision about appeals) for “, (d), (f) or (g)” substitute “ or (d) ”.
102	In section 107(4)(b) (exclusions from Chief Commissioner's report) for “Service Authority for the National Criminal Intelligence Service or the Service Authority for the National Crime Squad” substitute “ Serious Organised Crime Agency ”.
103	(1) Section 109 (Police Information Technology Organisation) is amended as follows. (2) In subsection (3) after “police forces,” insert— “(aa) the Serious Organised Crime Agency,”. (3) In subsection (4) for “(a) or (b)” substitute “ (a), (aa) or (b) ”.
104	(1) Section 111 (interpretation of Part 5) is amended as follows. (2) In subsection (1)— (a) at the end of paragraph (a) insert “ and ”, and (b) omit paragraphs (c) and (d). (3) In subsection (2)— (a) at the end of paragraph (b) insert “ and ”, and (b) omit paragraphs (d) and (e). (4) In subsection (3)— (a) at the end of paragraph (a) insert “ and ”, and (b) omit paragraphs (c) and (d).
105	In section 137(2) (extent) omit paragraphs (b) and (c).
106	Omit Schedules 1 to 2A (Service Authorities for NCIS and NCS).

VALID FROM 01/04/2006

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

107	The Race Relations (Northern Ireland) Order 1997 has effect subject to the following amendments.
108	In Article 72A(8) (police officers) for “section 23 of the Police Act 1997” substitute “ section 23 or 24 of the Serious Organised Crime and Police Act 2005 ”.
109	In Article 72B (other police bodies), for paragraph (6) substitute— “(6) In this Article, in relation to any body of constables— (a) “chief officer of police” means the person who has the direction and control of the body; (b) “police authority” means the authority by which the members of the body are paid; and (c) “police fund” means money provided by that authority.”

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VALID FROM 01/04/2006

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 Ireland) Order 1997—
- (a) in the definition of “the relevant authority”, omit sub-paragraph (b),
 - (b) in the definition of “the relevant fund”, omit sub-paragraph (a), and
 - (c) in the definition of “the responsible officer”, omit sub-paragraph (b).

VALID FROM 01/04/2006

Audit Commission Act 1998 (c. 18)

- 111 In section 32(1) of the Audit Commission Act 1998 (documents to be sent by the Audit Commission to the Secretary of State), for the words from “relates to —” onwards substitute “relates to a police authority established under section 3 of the Police Act 1996.”

VALID FROM 01/04/2006

Data Protection Act 1998 (c. 29)

- 112 In section 56(6) of the Data Protection Act 1998 (prohibition of requirement to produce certain records), in the first entry in the first column of the Table, for paragraphs (d) and (e) substitute—
- “(d)the Director General of the Serious Organised Crime Agency.”

VALID FROM 01/04/2006

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

- 113 The Police (Northern Ireland) Act 1998 has effect subject to the following amendments.
- 114 (1) Section 27 (members of Police Service of Northern Ireland engaged on other police service) is amended as follows.
- (2) In subsection (1)—
- (a) omit paragraph (b), and
 - (b) after paragraph (ca) insert—
 - “(cb) seconded service as a member of the staff of the Serious Organised Crime Agency on which a member of the Police Service of Northern Ireland is engaged with the consent of the Chief Constable;”.

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	(3) In subsection (5)(b) for the words from “subsection (1)(aa)” to “or (j)” substitute “subsection (1)(aa), (c), (ca), (cb), (d), (e), (f), (h) or (j)”.
	(4) In subsection (7) for “(1)(b), (c) or (ca)” substitute “(1)(c), (ca) or (cb)”.
115	In section 29(5) (liability for wrongful acts of constables) for “section 23 of the Police Act 1997” substitute “section 23 or 24 of the Serious Organised Crime and Police Act 2005”.
116	In section 41 (inspectors of constabulary) for subsections (3) and (3A) substitute— “(3A) The Secretary of State may at any time require the inspectors to carry out an inspection under this section of the Police Service of Northern Ireland; and a requirement under this subsection may include a requirement for the inspection to be confined to a particular part of the Service, to particular matters or to particular activities of the Service.”
117	(1) Section 42 (publication of reports of inspectors of constabulary) is amended as follows. (2) In subsection (1) omit “, (3)”. (3) Omit subsection (7).

VALID FROM 01/04/2006

Crime and Disorder Act 1998 (c. 37)

118	Omit section 113 of the Crime and Disorder Act 1998 (deputy authorising officer under Part 3 of Police Act 1997).
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VALID FROM 01/04/2006

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 effect subject to the following amendments.
120	In Article 94(6) (police officers) for “section 23 of the Police Act 1997” substitute “section 23 or 24 of the Serious Organised Crime and Police Act 2005”.
121	In Article 94A (other police bodies), for paragraph (6) substitute— “(6) In this Article, in relation to any body of constables— (a) “chief officer of police” means the person who has the direction and control of the body; (b) “police authority” means the authority by which the members of the body are paid; and (c) “police fund” means money provided by that authority.”

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VALID FROM 01/04/2006

Immigration and Asylum Act 1999 (c. 33)

- 122 The Immigration and Asylum Act 1999 has effect subject to the following amendments.
- 123 In section 20(1) (supply of information to Secretary of State) for paragraphs (b) and (c) substitute—
- “(b) the Serious Organised Crime Agency;”.
- 124 (1) Section 21 (supply of information by Secretary of State) is amended as follows.
- (2) In subsection (1) for paragraphs (b) and (c) substitute—
- “(b) the Serious Organised Crime Agency, for use for SOCA purposes;”.
- (3) For subsections (4) and (5) substitute—
- “(4) “SOCA purposes” means any of the functions of the Serious Organised Crime Agency mentioned in section 2, 3 or 5 of the Serious Organised Crime and Police Act 2005.”

VALID FROM 01/04/2006

Terrorism Act 2000 (c. 11)

- 125 The Terrorism Act 2000 has effect subject to the following amendments.
- 126 In section 19(7B) (duty to disclose information)—
- (a) for “person” substitute “ member of the staff of the Serious Organised Crime Agency ”, and
- (b) for “the National Criminal Intelligence Service” substitute “ that Agency ”.
- 127 In section 20(5) (permission to disclose information)—
- (a) for “person” substitute “ member of the staff of the Serious Organised Crime Agency ”, and
- (b) for “the National Criminal Intelligence Service” substitute “ that Agency ”.
- 128 In section 21A(14) (failure to disclose: regulated sector)—
- (a) for “person” substitute “ member of the staff of the Serious Organised Crime Agency ”, and
- (b) for “the National Criminal Intelligence Service” substitute “ that Agency ”.
- 129 In section 21B(7) (protected disclosures)—
- (a) for “person” substitute “ member of the staff of the Serious Organised Crime Agency ”, and
- (b) for “the National Criminal Intelligence Service” substitute “ that Agency ”.

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- 130 In Schedule 14 (exercise of officers' powers), in paragraph 4(1), for paragraph (d) substitute—
“(d) to the Serious Organised Crime Agency;”.

VALID FROM 01/04/2006

Regulation of Investigatory Powers Act 2000 (c. 23)

- 131 The Regulation of Investigatory Powers Act 2000 has effect subject to the following amendments.
- 132 (1) Section 6 (application for issue of an interception warrant) is amended as follows.
- (2) In subsection (2)(d) for “National Criminal Intelligence Service” substitute “Serious Organised Crime Agency”.
- (3) In subsection (3) after “specified in” insert “ paragraph (a), (b), (c), (e), (f), (g), (h), (i) or (j) ”.
- 133 (1) In section 17(3) (exclusion of matters from legal proceedings) for paragraphs (c) and (d) substitute—
“(c) any member of the staff of the Serious Organised Crime Agency;”.
- (2) Sub-paragraph (1) does not affect the operation of section 17 in relation to conduct by any member of the National Criminal Intelligence Service or the National Crime Squad which took place before the commencement of this paragraph.
- 134 (1) In section 19(2) (unauthorised disclosures) for paragraphs (c) and (d) substitute—
“(c) every member of the staff of the Serious Organised Crime Agency;”.
- (2) Sub-paragraph (1) does not affect the operation of section 19 in relation to any person's service as a member of the National Criminal Intelligence Service or the National Crime Squad before the commencement of this paragraph.
- 135 (1) Section 25 (interpretation) is amended as follows.
- (2) In subsection (1), in the definition of “relevant public authority”, for paragraphs (b) and (c) substitute—
“(b) the Serious Organised Crime Agency;”.
- (3) After subsection (3) insert—
“(3A) References in this Chapter to an individual holding an office or position with the Serious Organised Crime Agency include references to any member of the staff of that Agency.”
- (4) For subsections (4) and (5) substitute—
“(4) The Secretary of State may by order—
(a) remove any person from the list of persons who are for the time being relevant public authorities for the purposes of this Chapter; and

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- (b) make such consequential amendments, repeals or revocations in this or any other enactment as appear to him to be necessary or expedient.
- (5) The Secretary of State shall not make an order under this section—
- (a) that adds any person to the list of persons who are for the time being relevant public authorities for the purposes of this Chapter, or
- (b) that by virtue of subsection (4)(b) amends or repeals any provision of an Act,
- unless a draft of the order has been laid before Parliament and approved by a resolution of each House.”
- 136 In section 32(6) (authorisation of intrusive surveillance) for paragraphs (k) and (l) substitute—
- “(k) the Director General of the Serious Organised Crime Agency and any member of the staff of that Agency who is designated for the purposes of this paragraph by that Director General;”.
- 137 (1) Section 33 (rules for grant of authorisation) is amended as follows.
- (2) In subsection (1)—
- (a) omit “, the National Criminal Intelligence Service or the National Crime Squad”, and
- (b) omit “, Service or Squad”.
- (3) After subsection (1) insert—
- “(1A) A person who is a designated person for the purposes of section 28 or 29 by reference to his office or position with the Serious Organised Crime Agency shall not grant an authorisation under that section except on an application made by a member of the staff of the Agency.”
- (4) In subsection (3)—
- (a) omit “, the National Criminal Intelligence Service or the National Crime Squad”, and
- (b) omit (in both places) “, Service or Squad”.
- (5) After subsection (3) insert—
- “(3A) The Director General of the Serious Organised Crime Agency or a person designated for the purposes of section 32(6)(k) by that Director General shall not grant an authorisation for the carrying out of intrusive surveillance except on an application made by a member of the staff of the Agency.”
- (6) In subsection (5)(a) for “the National Criminal Intelligence Service or the National Crime Squad,” substitute “ a member of the staff of the Serious Organised Crime Agency, ”.
- (7) In subsection (6)—
- (a) in paragraph (e) omit “and also of the National Criminal Intelligence Service”, and
- (b) omit paragraph (f).
- 138 (1) Section 34 (grant of authorisations in absence of senior officer) is amended as follows.

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- (2) In subsection (1)(a) for “of the National Criminal Intelligence Service or of the National Crime Squad” substitute “ a member of the staff of the Serious Organised Crime Agency ”.
- (3) In subsection (2)(a) for “, Service or Squad” substitute “ or Agency ”.
- (4) In subsection (4) for paragraphs (j) and (k) substitute—
- “(j) a person is entitled to act for the Director General of the Serious Organised Crime Agency if he is a person designated for the purposes of this paragraph by that Director General as a person entitled so to act in an urgent case;”.
- (5) Omit subsection (5).
- (6) Omit subsection (6)(c).
- 139 (1) Section 35 (notification of certain authorisations) is amended as follows.
- (2) In subsection (1) for “police, customs” substitute “ police, SOCA, customs ”.
- (3) In subsection (10)—
- (a) for “police, customs” substitute “ police, SOCA, customs ”, and
- (b) in paragraph (a) for “, the National Criminal Intelligence Service or the National Crime Squad” substitute “ or the Serious Organised Crime Agency ”.
- 140 (1) Section 36 (approval required for authorisations to take effect) is amended as follows.
- (2) In subsection (1) for paragraphs (b) and (c) substitute—
- “(b) a member of the staff of the Serious Organised Crime Agency;”.
- (3) In subsection (6)—
- (a) in paragraph (b) for “National Criminal Intelligence Service or the Director General of the National Crime Squad,” substitute “ Serious Organised Crime Agency, ”, and
- (b) for paragraphs (d) and (e) substitute—
- “(d) where the authorisation was granted by a person designated for the purposes of section 32(6)(k), or by a person entitled to act for the Director General of the Serious Organised Crime Agency by virtue of section 34(4)(j), that Director General;”.
- 141 In section 37(1) (quashing of police and customs authorisations) for paragraphs (b) and (c) substitute—
- “(b) a member of the staff of the Serious Organised Crime Agency;”.
- 142 In section 40 (duty to provide information to Surveillance Commissioners) for paragraphs (b) and (c) substitute—
- “(b) every member of the staff of the Serious Organised Crime Agency;”.
- 143 In section 45(6) (cancellation of authorisations)—
- (a) at the end of paragraph (b) insert “ and ”, and
- (b) omit paragraphs (d) and (e).

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- 144 In section 46(3) (restriction on authorisations extending to Scotland) after paragraph (da) insert—
“(db) the Serious Organised Crime Agency;”.
- 145 In section 49(1)(e) (notices requiring disclosure) after “the police” (in both places) insert “, SOCA ”.
- 146 (1) Section 51 (cases in which key required) is amended as follows.
(2) In subsection (2)—
(a) for “the police, the customs” substitute “ the police, SOCA, the customs ”, and
(b) after paragraph (a) insert—
“(aa) in the case of a direction by SOCA, except by or with the permission of the Director General of the Serious Organised Crime Agency;”.
- (3) In subsection (3) after “of police,” insert “ the Director General of the Serious Organised Crime Agency, ”.
- (4) In subsection (6) after “of police,” insert “ by the Director General of the Serious Organised Crime Agency, ”.
- 147 In section 54(3) (tipping-off) after “police” (in both places) insert “ SOCA, ”.
- 148 (1) Section 55 (duties of specified authorities) is amended as follows.
(2) In subsection (1) after paragraph (b) insert—
“(ba) the Director General of the Serious Organised Crime Agency;”.
- (3) After subsection (3) insert—
“(3A) Paragraph 11 of Schedule 1 to the Serious Organised Crime and Police Act 2005 does not apply in relation to the duties of the Director General of the Serious Organised Crime Agency under this section.”
- 149 In section 56(1) (interpretation)—
(a) in the definition of “chief officer of police” omit paragraphs (j) and (k),
(b) in paragraph (a) of the definition of “the police” after “constable” insert “ (except a constable who is a member of the staff of the Serious Organised Crime Agency) ”, and
(c) after the definition of “section 49 notice” insert—
““SOCA” means the Serious Organised Crime Agency or any member of the staff of the Serious Organised Crime Agency;”.
- 150 In section 58(1) (co-operation with Commissioner) for paragraphs (b) and (c) substitute—
“(b) every member of the staff of the Serious Organised Crime Agency;”.
- 151 In section 65(6) (the Tribunal) for paragraphs (d) and (e) substitute—
“(d) the Serious Organised Crime Agency; or”.
- 152 In section 68(7) (disclosure to Tribunal) for paragraphs (b) and (c) substitute—
“(b) every member of the staff of the Serious Organised Crime Agency;”.

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- 153 In section 75(6) (authorisations under Part 3 of Police Act 1997) omit paragraph (b).
- 154 (1) Section 76A (foreign surveillance operations) is amended as follows.
- (2) In subsection (6)(a) for “National Criminal Intelligence Service” substitute “Serious Organised Crime Agency”.
- (3) In subsection (11), in the definition of “United Kingdom officer”—
- (a) in paragraph (b) for “National Criminal Intelligence Service” substitute “staff of the Serious Organised Crime Agency”, and
- (b) in paragraph (c) omit “the National Crime Squad or”.
- 155 (1) In Schedule 1 (relevant authorities) for paragraphs 2 and 3 substitute—
- “2 The Serious Organised Crime Agency.”
- 156 (1) Schedule 2 (persons having appropriate permission) is amended as follows.
- (2) In paragraph 2—
- (a) in sub-paragraph (3) after “the police” insert “, SOCA”, and
- (b) in sub-paragraph (5) after “Only the police” insert “, SOCA”.
- (3) In paragraph 4(2) after “the police,” (in each place) insert “ SOCA, ”.
- (4) In paragraph 5(3)(b) after “police” insert “, SOCA”.
- (5) In paragraph 6—
- (a) after sub-paragraph (3) insert—
- “(3A) A member of the staff of the Serious Organised Crime Agency does not by virtue of paragraph 1, 4 or 5 have the appropriate permission in relation to any protected information unless permission to give a section 49 notice in relation to that information has been granted—
- (a) by the Director General; or
- (b) by a member of the staff of the Agency of or above such level as the Director General may designate for the purposes of this sub-paragraph.”; and
- (b) after sub-paragraph (5) add—
- “(6) In sub-paragraph (2) “constable” does not include a constable who is a member of the staff of the Serious Organised Crime Agency.”

VALID FROM 01/04/2006

Football (Disorder) Act 2000 (c. 25)

- 157 Omit section 2 of the Football (Disorder) Act 2000 (disclosure of information by NCIS).

Status: Point in time view as at 01/01/2006. This version of this schedule contains provisions that are not valid for this point in time.

Changes to legislation: Serious Organised Crime and Police Act 2005, SCHEDULE 4 is up to date with all changes known to be in force on or before 16 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)

VALID FROM 01/04/2006

Freedom of Information Act 2000 (c. 36)

- 158 The Freedom of Information Act 2000 has effect subject to the following amendments.
- 159 In section 23(3) (bodies supplying information which is exempt) omit “and” at the end of paragraph (k) and after paragraph (l) add—
“(m) the Serious Organised Crime Agency.”
- 160 In Schedule 1 (list of public authorities), in Part 6, omit the entries relating to the National Crime Squad and the Service Authority for the National Crime Squad.

VALID FROM 01/04/2006

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

- 161 In section 71(1) and (2)(a) of the Criminal Justice and Court Services Act 2000 (access to driver licensing records) after “constables” insert “ and members of the staff of the Serious Organised Crime Agency ”.

VALID FROM 01/04/2006

Criminal Justice and Police Act 2001 (c. 16)

- 162 The Criminal Justice and Police Act 2001 has effect subject to the following amendments.
- 163 In section 88(8) (functions of Central Police Training and Development Authority) for paragraphs (a) and (b) substitute—
“(a) the Serious Organised Crime Agency;”.
- 164 (1) Section 104 (vice-chairmen) is amended as follows.
(2) Omit subsection (3).
(3) In subsection (4)—
(a) at the end of paragraph (a) insert “ and ”, and
(b) omit paragraph (c) and the word “and” before it.
(4) Omit subsection (8).
- 165 (1) Section 107 (payment of allowances to authority members) is amended as follows.
(2) Omit subsection (1)(c).
(3) Omit subsection (4).
- 166 Omit sections 108 to 121 (provision about NCIS and NCS and their Service Authorities).

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

VALID FROM 01/04/2006

Proceeds of Crime Act 2002 (c. 29)

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

169 In section 313(1) (restriction on performance by police of functions of the Director of the Assets Recovery Agency) omit paragraphs (c) and (d).

VALID FROM 12/01/2009

^{F1}170

Textual Amendments

F1 Sch. 4 paras. 170-172 repealed (12.1.2009) by [Policing and Crime Act 2009 \(c. 26\)](#), s. 116(6)(b), [Sch. 8 Pt. 13](#)

VALID FROM 12/01/2009

^{F1}171

Textual Amendments

F1 Sch. 4 paras. 170-172 repealed (12.1.2009) by [Policing and Crime Act 2009 \(c. 26\)](#), s. 116(6)(b), [Sch. 8 Pt. 13](#)

VALID FROM 12/01/2009

^{F1}172

Textual Amendments

F1 Sch. 4 paras. 170-172 repealed (12.1.2009) by [Policing and Crime Act 2009 \(c. 26\)](#), s. 116(6)(b), [Sch. 8 Pt. 13](#)

173 In section 336 (giving of consent by a nominated officer) in subsections (2)(a), (3)(a) and (4)(a), for “the Director General of the National Criminal Intelligence Service” substitute “ the Director General of the Serious Organised Crime Agency ”.

174 In section 340(13) (interpretation of references to constable) for “the Director General of the National Criminal Intelligence Service” substitute “ the Director General of the Serious Organised Crime Agency ”.

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Changes to legislation: Serious Organised Crime and Police Act 2005, SCHEDULE 4 is up to date with all changes known to be in force on or before 16 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)

175	In section 378(5) (interpretation of references to officers) for “the Director General of the National Criminal Intelligence Service” substitute “ the Director General of the Serious Organised Crime Agency ”.
176	In section 436(5) (persons permitted to disclose information to the Director of the Assets Recovery Agency) for paragraphs (b) and (c) substitute— “(b) the Director General of the Serious Organised Crime Agency;”.
177	In section 439(5) (persons permitted to disclose information to the Lord Advocate and Scottish Ministers) for paragraphs (b) and (c) substitute— “(b) the Director General of the Serious Organised Crime Agency;”.
178	In section 445(2)(b) (external investigations) for “the Director General of the National Criminal Intelligence Service” substitute “ the Director General of the Serious Organised Crime Agency ”.

VALID FROM 01/04/2006

Police Reform Act 2002 (c. 30)

179	The Police Reform Act 2002 has effect subject to the following amendments.
180	Omit section 8 (powers of Secretary of State in relation to NCIS and NCS).
181	(1) Section 38 (exercise of police powers by civilian employees) is amended as follows. (2) Omit subsection (3). (3) In subsection (4) omit “or a Director General”. (4) In subsection (7) omit “or of a Service Authority”.
182	In section 42 (supplementary provisions relating to exercise of police powers) omit subsections (4) and (8).
183	(1) Section 45 (code of practice relating to exercise of police powers) is amended as follows. (2) In subsection (1) omit “and by Directors General”. (3) In subsection (3) omit paragraphs (a), (b), (d) and (e). (4) In subsection (5) omit “or a Director General”.
184	In section 47(1) (interpretation) omit the definitions of “Director General” and “Service Authority”.
185	(1) Section 82 (police nationality requirements) is amended as follows. (2) In subsection (1) omit paragraph (c). (3) In subsection (2)— (a) at the end of paragraph (a) insert “ or ”, and (b) omit paragraph (c) and the word “or” before it. (4) In subsection (3)— (a) at the end of paragraph (c) insert “ and ”, and (b) omit paragraph (d).

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	(5) In subsection (4) for “, Service or Squad” substitute “ or Service ”.
186	Omit sections 85 to 91 (NCIS and NCS: general provisions).
187	Omit section 93 (quorum for NCIS and NCS service authorities).
188	(1) Section 102 (liability for wrongful acts of constables) is amended as follows. (2) In subsection (2) omit paragraphs (c) and (d). (3) In subsection (5) omit paragraphs (b) and (c).
189	(1) Section 103 (liability in respect of members of teams) is amended as follows. (2) Omit subsections (2) and (3). (3) In subsection (6) omit “, the NCIS service fund or the NCS service fund.”
190	In Schedule 4 (powers exercisable by police civilians), in paragraph 36(1), omit paragraph (b) and the word “and” before it.

VALID FROM 01/04/2006

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

191	Omit section 85 (liability of NCIS in respect of foreign officers) of the Crime (International Co-operation) Act 2003.
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VALID FROM 01/04/2006

Courts Act 2003 (c. 39)

192	In section 41(6)(c) of the Courts Act 2003 (disqualification of lay justices who are members of local authorities) for “, the Service Authority for the National Criminal Intelligence Service or the Service Authority for the National Crime Squad” substitute “ or the Serious Organised Crime Agency ”.
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VALID FROM 01/04/2006

Sexual Offences Act 2003 (c. 42)

193	The Sexual Offences Act 2003 has effect subject to the following amendments.
194	In section 94(3) (supply of information for verification) for paragraphs (c) and (d) substitute— “(c) the Serious Organised Crime Agency.”
195	In section 95(2) (supply of information by Secretary of State) for paragraphs (b) and (c) substitute— “(b) the Serious Organised Crime Agency.”

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VALID FROM 01/04/2006

Criminal Justice Act 2003 (c. 44)

- 196 In section 29(5) of the Criminal Justice Act 2003 (persons who may institute criminal proceedings by written charge) after paragraph (ca) insert—
- “(cb) the Director General of the Serious Organised Crime Agency or a person authorised by him to institute criminal proceedings;”.

VALID FROM 01/04/2006

Energy Act 2004 (c. 20)

- 197 The Energy Act 2004 has effect subject to the following amendments.
- 198 In section 59(3) (members of civil nuclear constabulary serving with other forces)—
- (a) in the definition of “chief officer” omit paragraphs (c) and (d), and
- (b) in the definition of “relevant force” omit paragraphs (c) and (d).
- 199 After section 59 insert—

“59A Constables serving with Serious Organised Crime Agency

- (1) A member of the Constabulary serving with the Serious Organised Crime Agency under arrangements to which subsection (2) applies shall—
- (a) be under the direction and control of the Serious Organised Crime Agency, and
- (b) continue to be a constable.
- (2) This subsection applies to arrangements made between the Serious Organised Crime Agency and the chief constable.”

VALID FROM 01/04/2006

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

- 200 In Schedule 9 to the Domestic Violence, Crime and Victims Act 2004 (authorities within remit of Commissioner for Victims and Witnesses) for paragraphs 13 and 14 substitute—
- “13 The Serious Organised Crime Agency.”

Status:

Point in time view as at 01/01/2006. This version of this schedule contains provisions that are not valid for this point in time.

Changes to legislation:

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