

Status: Point in time view as at 15/01/2007.

Changes to legislation: Serious Organised Crime and Police Act 2005, Cross Heading: Police Act 1996 (c. 16) is up to date with all changes known to be in force on or before 09 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)

SCHEDULES

SCHEDULE 4

MINOR AND CONSEQUENTIAL AMENDMENTS RELATING TO SOCA

Police Act 1996 (c. 16)

68 The Police Act 1996 has effect subject to the following amendments.

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Commencement Information

I1 Sch. 4 para. 68 in force at 1.4.2006 by [S.I. 2006/378](#), [art. 4\(1\)](#), [Sch. para. 10](#) (with [art. 4\(2\)-\(7\)](#))

69 Omit section 23(8) (collaboration agreements).

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Commencement Information

I2 Sch. 4 para. 69 in force at 1.4.2006 by [S.I. 2006/378](#), [art. 4\(1\)](#), [Sch. para. 10](#) (with [art. 4\(2\)-\(7\)](#))

70 Omit section 24(5) (mutual aid).

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Commencement Information

I3 Sch. 4 para. 70 in force at 1.4.2006 by [S.I. 2006/378](#), [art. 4\(1\)](#), [Sch. para. 10](#) (with [art. 4\(2\)-\(7\)](#))

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.”

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Commencement Information

I4 Sch. 4 para. 71 in force at 1.4.2006 by [S.I. 2006/378](#), [art. 4\(1\)](#), [Sch. para. 10](#) (with [art. 4\(2\)-\(7\)](#))

72 In section 55 (publication of reports) omit subsection (7).

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I5 Sch. 4 para. 72 in force at 1.4.2006 by S.I. 2006/378, art. 4(1), **Sch. para. 10** (with art. 4(2)-(7))

- 73 (1) Section 57 (common services) is amended as follows.
- (2) In subsection (3A)—
- (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.”

Commencement Information

I6 Sch. 4 para. 73 in force at 1.4.2006 by S.I. 2006/378, art. 4(1), **Sch. para. 10** (with art. 4(2)-(7))

- 74 Omit section 59(8) (police federations).

Commencement Information

I7 Sch. 4 para. 74 in force at 1.4.2006 by S.I. 2006/378, art. 4(1), **Sch. para. 10** (with art. 4(2)-(7))

- 75 Omit section 60(2A) (regulations for police federations).

Commencement Information

I8 Sch. 4 para. 75 in force at 1.4.2006 by S.I. 2006/378, art. 4(1), **Sch. para. 10** (with art. 4(2)-(7))

- 76 In section 61(1) (police negotiating board) omit paragraphs (aa) and (ba).

Commencement Information

I9 Sch. 4 para. 76 in force at 1.4.2006 by S.I. 2006/378, art. 4(1), **Sch. para. 10** (with art. 4(2)-(7))

- 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) ”.

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I10 Sch. 4 para. 77 in force at 1.4.2006 by S.I. 2006/378, art. 4(1), **Sch. para. 10** (with art. 4(2)-(7))

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.”

Commencement Information

I11 Sch. 4 para. 78 in force at 1.4.2006 by S.I. 2006/378, art. 4(1), **Sch. para. 10** (with art. 4(2)-(7))

79 In section 64 (membership of trade unions) omit subsections (4A) and (4B).

Commencement Information

I12 Sch. 4 para. 79 in force at 1.4.2006 by S.I. 2006/378, art. 4(1), **Sch. para. 10** (with art. 4(2)-(7))

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.”

Commencement Information

I13 Sch. 4 para. 80 in force at 1.4.2006 by S.I. 2006/378, art. 4(1), **Sch. para. 10** (with art. 4(2)-(7))

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”.

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I14 Sch. 4 para. 81 in force at 1.4.2006 by S.I. 2006/378, art. 4(1), **Sch. para. 10** (with art. 4(2)-(7))

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)”.

Commencement Information

I15 Sch. 4 para. 82 in force at 1.4.2006 by S.I. 2006/378, art. 4(1), **Sch. para. 10** (with art. 4(2)-(7))

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).

Commencement Information

I16 Sch. 4 para. 83 in force at 1.4.2006 by S.I. 2006/378, art. 4(1), **Sch. para. 10** (with art. 4(2)-(7))

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