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*Changes to legislation: Serious Organised Crime and Police Act 2005, Cross Heading: Police Act 1997 (c. 50) 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 **E+W**

#### MINOR AND CONSEQUENTIAL AMENDMENTS RELATING TO SOCA

##### *Police Act 1997 (c. 50)*

94 The Police Act 1997 has effect subject to the following amendments.

#### **Commencement Information**

**I1** Sch. 4 para. 94 in force at 1.4.2006 by [S.I. 2006/378](#), [art. 4\(1\)](#), [Sch. para. 10](#) (with [art. 4\(2\)-\(7\)](#))

95 Omit sections 1 to 87 (provision about NCIS and NCS and their Service Authorities).

#### **Commencement Information**

**I2** Sch. 4 para. 95 in force at 1.4.2006 by [S.I. 2006/378](#), [art. 4\(1\)](#), [Sch. para. 10](#) (with [art. 4\(2\)-\(7\)](#))

96 Omit sections 89 and 90 (general provision about NCS).

#### **Commencement Information**

**I3** Sch. 4 para. 96 in force at 1.4.2006 by [S.I. 2006/378](#), [art. 4\(1\)](#), [Sch. para. 10](#) (with [art. 4\(2\)-\(7\)](#))

- 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).

#### **Commencement Information**

**I4** Sch. 4 para. 97 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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- 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).

**Commencement Information**

**I5** Sch. 4 para. 98 in force at 1.4.2006 by [S.I. 2006/378](#), [art. 4\(1\)](#), [Sch. para. 10](#) (with [art. 4\(2\)-\(7\)](#))

- 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) ”.

**Commencement Information**

**I6** Sch. 4 para. 99 in force at 1.4.2006 by [S.I. 2006/378](#), [art. 4\(1\)](#), [Sch. para. 10](#) (with [art. 4\(2\)-\(7\)](#))

- 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 Crime Agency who is designated for the purposes of this section by the Director General of that Agency.”

**Commencement Information**

**I7** Sch. 4 para. 100 in force at 1.4.2006 by [S.I. 2006/378](#), [art. 4\(1\)](#), [Sch. para. 10](#) (with [art. 4\(2\)-\(7\)](#))

- 101 In section 105(3) (supplementary provision about appeals) for “, (d), (f) or (g)” substitute “ or (d) ”.

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**Commencement Information**

**I8** Sch. 4 para. 101 in force at 1.4.2006 by [S.I. 2006/378](#), [art. 4\(1\)](#), **Sch. para. 10** (with [art. 4\(2\)-\(7\)](#))

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 ”.

**Commencement Information**

**I9** Sch. 4 para. 102 in force at 1.4.2006 by [S.I. 2006/378](#), [art. 4\(1\)](#), **Sch. para. 10** (with [art. 4\(2\)-\(7\)](#))

<sup>F1</sup>103 .....

**Textual Amendments**

**F1** Sch. 4 para. 103 repealed (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), [s. 53\(1\)](#), **Sch. 15 Pt. 1(A)**; [S.I. 2007/709](#), [art. 3\(q\)](#) (with [art. 6](#))

<sup>F2</sup>104 .....

**Textual Amendments**

**F2** Sch. 4 para. 104 repealed (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), [s. 53\(1\)](#), **Sch. 15 Pt. 1(A)**; [S.I. 2007/709](#), [art. 3\(q\)](#) (with [art. 6](#))

105 In section 137(2) (extent) omit paragraphs (b) and (c).

**Commencement Information**

**I10** Sch. 4 para. 105 in force at 1.4.2006 by [S.I. 2006/378](#), [art. 4\(1\)](#), **Sch. para. 10** (with [art. 4\(2\)-\(7\)](#))

106 Omit Schedules 1 to 2A (Service Authorities for NCIS and NCS).

**Commencement Information**

**I11** Sch. 4 para. 106 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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