



Serious Organised Crime and Police Act 2005

2005 CHAPTER 15

PART 3

POLICE POWERS ETC.

Designated and accredited persons

122 Powers of designated and accredited persons

- (1) The Police Reform Act 2002 (c. 30) is amended as follows.
- (2) In section 42 (supplementary provisions relating to designations)—
 - (a) in subsection (2), after “section 41 shall” insert “, subject to subsection (2A),”,
 - (b) after subsection (2) insert—

“(2A) A police officer of or above the rank of inspector may direct a particular investigating officer not to wear a uniform for the purposes of a particular operation; and if he so directs, subsection (2) shall not apply in relation to that investigating officer for the purposes of that operation.

(2B) In subsection (2A), “investigating officer” means a person designated as an investigating officer under section 38 by the chief officer of police of the same force as the officer giving the direction.”
- (3) Schedule 4 (powers exercisable by police civilians) is amended as follows—
 - (a) in paragraph 1, after sub-paragraph (2) insert—

“(2A) The reference to the powers mentioned in sub-paragraph (2)(a) does not include those powers so far as they relate to an offence under the provisions in the following list—
section 1 of the Theft Act 1968,

Status: This is the original version (as it was originally enacted).

section 87 of the Environmental Protection Act 1990.”

- (b) in paragraph 15A (power to modify paragraph 1(2)(a)), for sub-paragraph (1) substitute—

“(1) The Secretary of State may by order amend paragraph 1(2A) so as to remove a provision from the list or add a provision to the list; but the list must contain only provisions mentioned in the first column of the Table in section 1(1) of the Criminal Justice and Police Act 2001.”

and in the heading to paragraph 15A, for “1(2)(a)” substitute “1(2A)”.

- (4) Schedule 5 (powers exercisable by accredited persons) is amended as provided in subsections (5) and (6).

- (5) In paragraph 1 (power to issue fixed penalty notices)—

- (a) in sub-paragraph (2)(aa), omit “except in respect of an offence under section 12 of the Licensing Act 1872 or section 91 of the Criminal Justice Act 1967”,
- (b) after sub-paragraph (2) insert—

“(2A) The reference to the powers mentioned in sub-paragraph (2)(aa) does not include those powers so far as they relate to an offence under the provisions in the following list—

section 12 of the Licensing Act 1872,

section 91 of the Criminal Justice Act 1967,

section 1 of the Theft Act 1968,

section 1(1) of the Criminal Damage Act 1971,

section 87 of the Environmental Protection Act 1990.”

- (6) In paragraph 9A (power to modify paragraph 1(2)(aa)), for sub-paragraph (1) substitute—

“(1) The Secretary of State may by order amend paragraph 1(2A) so as to remove a provision from the list or add a provision to the list; but the list must contain only provisions mentioned in the first column of the Table in section 1(1) of the Criminal Justice and Police Act 2001.”

and in the heading to paragraph 9A, for “1(2)(aa)” substitute “1(2A)”.

- (7) Schedules 8 and 9 to this Act, which provide for additional powers and duties for designated and accredited persons under the Police Reform Act 2002 (c. 30), have effect.