



# Serious Organised Crime and Police Act 2005

## 2005 CHAPTER 15

### PART 1

#### THE SERIOUS ORGANISED CRIME AGENCY

### CHAPTER 1

#### SOCA: ESTABLISHMENT AND ACTIVITIES

#### *Liability for unlawful conduct*

#### **28 Liability of SOCA for acts of seconded staff etc.**

- (1) SOCA is liable in respect of unlawful conduct of persons to whom this section applies in the carrying out, or the purported carrying out, of their functions as such persons in the same manner as an employer is liable in respect of any unlawful conduct of his employees in the course of their employment.
- (2) In the case of any such unlawful conduct of persons to whom this section applies which is a tort, SOCA is accordingly to be treated as a joint tortfeasor.

This subsection does not apply to Scotland.

- (3) This section applies to—
  - (a) any constable or other person who has been seconded to SOCA to serve as a member of its staff, and
  - (b) any constable or other person who has been provided for the assistance of SOCA under section 23, 24 or 25.

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*Status: Point in time view as at 01/04/2006. This version of this provision has been superseded.*

*Changes to legislation: Serious Organised Crime and Police Act 2005, Section 28 is up to date with all changes known to be in force on or before 30 May 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)*

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**Modifications etc. (not altering text)**

- C1** S. 28 excluded by 1974 c. 37, s. 51A(2D)(2E)(f) (as inserted by 2005 c. 15, ss. 158(f), 178(1)(a) (with s. 158(5)-(7))

**Commencement Information**

- I1** S. 28 in force at 1.4.2006 by S.I. 2006/378, art. 4(1), Sch. para. 5 (with art. 4(2)-(7))

**Status:**

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**Changes to legislation:**

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