



Police and Justice Act 2006

CHAPTER 48

POLICE AND JUSTICE ACT 2006

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- 1 National Policing Improvement Agency

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Status: Point in time view as at 31/01/2023.

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- 33 Transitional provision

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- 35 Unauthorised access to computer material
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37 Making, supplying or obtaining articles for use in computer misuse offences
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SCHEDULES

SCHEDULE 1 — National Policing Improvement Agency

.....

SCHEDULE 2 — Amendments to the Police Act 1996

Membership etc of police authorities

- 1 In section 4 (membership of police authorities outside Greater London),...
- 2 For Schedule 2 there is substituted— SCHEDULE 2 Police authorities...
- 3 In section 5C (membership etc of Metropolitan Police Authority), in...
- 4 For Schedule 2A there is substituted— SCHEDULE 2A The Metropolitan...
- 5 In section 19 (approval of decisions about precepts), in subsection...
- 6 Schedules 3 (police authorities: selection of independent members) and 3A...

Functions of police authorities

- 7 (1) Section 6 (general functions of police authorities) is amended...
- 8 After section 6 there is inserted— Power to confer particular...

Police authorities: objectives, plans and reports

- 9 After section 6ZA (inserted by paragraph 8) there is inserted—...
- 10 The following sections are repealed— section 6A (three-year strategy plans);...
- 11 In section 9A (general functions of Commissioner of Police of...
- 12 In section 10 (general functions of chief constables), in subsection...
- 13 (1) Section 96B (national and international functions: application of requirements...

Appointment of deputy chief constables etc

- 14 (1) Section 11A (appointment and removal of deputy chief constables)...
- 15 (1) Section 12A (power of deputy to exercise functions of...

Civilian employees of police authorities

- 16 (1) Section 15 (civilian employees) is amended as follows.
- 17 In section 24 (aid of one police force by another),...

Clerks to police authorities renamed chief executives

- 18 (1) Section 16 (appointment of clerk by police authority) is...
- 19 In Schedule 6 (appeals to police appeal tribunals), in paragraph...
- 20 (1) A reference in subordinate legislation (within the meaning of...

Jurisdiction of special constables

- 21 (1) Section 30 (jurisdiction of constables) is amended as follows...
- 22 In section 24(3) (constable assisting another police force to be...
- 23 In section 27(2) (special constables to be under direction and...

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Secretary of State's strategic functions in relation to police authorities

- 24 Sections 36A (National Policing Plan) and 37 (setting of objectives...
25 Before section 38 there is inserted— Setting of strategic priorities...
26 (1) Section 38 (setting of performance targets) is amended as...

Power to give directions to police authority or chief officer of police

- 27 For section 40 (power to give directions to police authority)...
28 In section 41 (directions as to minimum budget), in subsection...

Power to give directions as to action plans

- 29 Sections 41A and 41B (power to give directions as to...

Arrangements for obtaining the views of the community on policing

- 30 (1) Section 96 (arrangements for obtaining the views of the...

SCHEDULE 3 — Power to merge police pension schemes

Introduction

- 1 In this Schedule— “the 1976 Act” means the Police Pensions...

Power to merge police pension schemes

- 2 (1) Regulations may— (a) revoke those provisions of the police...

Exercise of power to establish merged scheme

- 3 (1) This paragraph applies to the first regulations under this...

Exercise of power to amend merged scheme

- 4 (1) The power to make amending regulations is exercisable as...

Application of provisions of other Acts

- 5 (1) The provisions of— (a) section 8A of the 1976...

Transitional provision

- 6 A reference, however expressed, in any document (including an enactment)...

Continuity of schemes for tax purposes

- 7 A pension scheme established under this Schedule is to be...

SCHEDULE 4 — Consultation with APA and ACPO

Police and Criminal Evidence Act 1984 (c. 60)

- 1 In section 67 of the Police and Criminal Evidence Act...

Police Act 1996 (c. 16)

- 2 In section 8A of the Police Act 1996 (local policing...

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- 3 In section 39A of that Act (codes of practice for...
- 4 In section 42A of that Act (procedure in relation to...
- 5 In section 53 of that Act (regulations as to standard...
- 6 (1) Section 53A of that Act (regulation of procedures and...
- 7 In section 57 of that Act (common services), for paragraphs...
- 8 In section 101 of that Act (interpretation), at the beginning...

Criminal Procedure and Investigations Act 1996 (c. 25)

- 9 In section 21A of the Criminal Procedure and Investigations Act...

Criminal Justice and Police Act 2001 (c. 16)

- 10 In section 97 of the Criminal Justice and Police Act...

Police Reform Act 2002 (c. 30)

- 11 In section 22 of the Police Reform Act 2002 (power...
- 12 In section 24 of that Act (consultation on regulations), for...
- 13 In section 39 of that Act (police powers for contracted-out...
- 14 In section 43 of that Act (railway safety accreditation scheme),...
- 15 In section 45 of that Act (code of practice relating...
- 16 In section 51 of that Act (independent custody visitors for...
- 17 In section 96 of that Act (president of ACPO),...
- 18 In section 106 of that Act (general interpretation), at the...

SCHEDULE 5 — Exercise of police powers by civilians

- 1 The Police Reform Act 2002 (c. 30) is amended as...
- 2 (1) Section 38 (police powers for police authority employees) is...
- 3
- 4 In section 105 (orders and regulations), in subsection (3)(b), after...
- 5 (1) Schedule 4 (powers exercisable by police civilians) is amended...
- 6 (1) Paragraph 1 of Schedule 5 (power of accredited persons...

SCHEDULE 6 — Police bail

Part 1 — INTRODUCTORY

- 1 The Police and Criminal Evidence Act 1984 (c. 60) is...

Part 2 — POLICE BAIL GRANTED ELSEWHERE THAN AT POLICE STATION

Power to impose conditions on granting bail

- 2 In section 30A (bail elsewhere than at police station), for...

Contents of notice given to person released on bail

- 3 In section 30B (bail under section 30A: notices), after subsection...

Variation of bail conditions

- 4 After section 30C there is inserted— Bail under section 30A:...

Power of arrest for breach of bail conditions

- 5 (1) Section 30D (failure to answer to bail under section...

Part 3 — POLICE BAIL GRANTED AT POLICE STATION BEFORE CHARGE

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Power to impose conditions on bail granted under section 37(2) or (7)(b)

6 In section 47(1A) (where person released on bail under Part...

Power of arrest for breach of conditions of bail granted under section 37(2) or (7)(b)

7 In section 46A(1A) (person released on bail under section 37(7)(a)...

Dealing with person arrested for breach of conditions of bail granted under section 37(7)(b)

8 (1) After section 37C there is inserted— Breach of bail...

Time for person to answer bail granted under section 37(2) or (7)(b) or 37CA(2)(b)

9 (1) In section 37D(1) (release on bail under section 37(7)(a)...

Dealing with person released on bail under section 37(7)(b) or 37CA(2)(b)

10 (1) Section 37D (release under section 37(7)(a): further provision) is...

*Applications to court where person released on
bail under section 37(2) or (7)(b) or 37CA(2)(b)*

11 In section 47(1B) and (1C) (applications to court where person...

SCHEDULE 7 — Schedule to be inserted into the Police Reform Act 2002

SCHEDULE 8 — Further provision about crime and disorder committees of certain
local authorities

Introductory

1 (1) This Schedule applies in relation to a local authority—...

Functions of crime and disorder committees

2 (1) The crime and disorder committee of a local authority...

Appointment of sub-committees

3 (1) The crime and disorder committee of a local authority—...

Meetings etc

4 A local authority shall make arrangements— (a) for enabling a...

5 The crime and disorder committee of a local authority, or...

Power to compel attendance etc

6 (1) The crime and disorder committee of a local authority...

Miscellaneous and supplemental

7 The crime and disorder committee of a local authority, or...

8 The crime and disorder committee of a local authority, or...

9 Subsections (2) and (5) of section 102 of the Local...

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Application to the City of London

- 10 Paragraph 8 does not apply to the crime and disorder...
- 11 (1) The Common Council may discharge its duty under section...
- 12 In paragraphs 10 and 11 “the Common Council” means the...

SCHEDULE 9 — Amendments to the Crime and Disorder Act 1998

- 1 The Crime and Disorder Act 1998 (c. 37) is amended...
- 2 (1) Section 5 (authorities responsible for strategies) is amended as...
- 3 For sections 6 and 6A there is substituted— Formulation and...
- 4 (1) Section 17 (duty to consider crime and disorder implications)...
- 5 After section 17 there is inserted— Sharing of information (1) A relevant authority is under a duty to disclose...
- 6 (1) Section 114 (orders and regulations) is amended as follows....
- 7 (1) Section 115 (disclosure of information) is amended as follows....

SCHEDULE 10 — Injunctions in local authority proceedings: powers to remand

Introductory

- 1 (1) The provisions of this Schedule apply where the court...

Remand in custody or on bail

- 2 (1) The court may— (a) remand the person in custody,...
- 3 (1) Where a person is remanded on bail, the court...
- 4 (1) The court shall not remand a person for a...

Further remand

- 5 (1) If the court is satisfied that a person who...

Postponement of taking recognizance

- 6 Where under paragraph 2(2)(b) the court fixes the amount in...

Requirements imposed on remand on bail

- 7 The court may when remanding a person on bail under...

SCHEDULE 11 — Schedule to be inserted into the Protection of Children Act 1978

SCHEDULE 12 — Schedule to be inserted into the Protection of Children (Northern Ireland) Order 1978

SCHEDULE 13 — Extradition

Part 1 — AMENDMENTS TO THE EXTRADITION ACT 2003

Requests for extradition of persons unlawfully at large

- 1 (1) In section 2 (Part 1 warrant and certificate), in...
- 2 (1) In section 14 (passage of time), for the words...

Restriction on extradition following transfer from International Criminal Court

- 3 (1) In section 11 (bars to extradition)—

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4
5
6

Remand of person serving sentence in United Kingdom

7 In sections 23 and 89 (person serving sentence in United...

Remands in connection with appeal proceedings

8 (1) In section 29 (court's powers on appeal under section...

Time for extradition

9 (1) In section 35 (extradition where no appeal), in paragraph...

Extradition of person serving sentence in United Kingdom

10 (1) Section 37 (undertaking in relation to person serving sentence...
11 (1) Section 52 (undertaking in relation to person serving sentence...
12 In section 59 (return of person to serve remainder of...
13 (1) Section 119 (undertaking in relation to person serving sentence...
14 In section 132 (return of person to serve remainder of...

“The appropriate judge”

15 (1) In sections 67 and 139 (the appropriate judge), after...
16 (1) In the provisions listed in sub-paragraph (2), for “If...

Extradition to category 2 territories: requests and certificates

17 (1) Section 70 (extradition request and certificate) is amended as...

Time for representations and consideration of case under Part 2

18 (1) Section 93 (Secretary of State's consideration of case) is...

Applications for discharge or for extension of time limit

19 (1) Section 99 (time limit for order for extradition or...

Scotland: references to Secretary of State

20 In section 141 (Scotland: references to Secretary of State), in...

*Issue of Part 3 warrant: persons unlawfully at large
who may be arrested without domestic warrant*

21 (1) In section 142 (issue of Part 3 warrant), in...

*Issue of Part 3 warrant: domestic warrant issued
at common law by judge in Northern Ireland*

22 For subsection (8) of section 142 there is substituted—

Dealing with person for pre-extradition offences following extradition to UK

23 In section 146(3)(c) (consent of category 1 territory to person...

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Extradition requests to territories not applying European framework decision to old cases

24 After section 155 there is inserted— Category 1 territories not...

Extradition of serving prisoner

25 After section 197 there is inserted— Extradition of serving prisoner...

Authentication of receivable documents

26 In section 202 (receivable documents), in subsection (4) (persons who...
Part 2 — AMENDMENTS TO OTHER ACTS

Powers of High Court in relation to bail decisions by magistrates' court etc

27 (1) Section 22 of the Criminal Justice Act 1967 (c....
28 In section 1(1A) of the Bail (Amendment) Act 1993 (c....
29 (1) Section 10 of the Justice (Northern Ireland) Act 2004...
30 After section 10 of the Justice (Northern Ireland) Act 2004...

Credit against sentence for periods of remand in custody of persons extradited to UK

31 In section 243 of the Criminal Justice Act 2003 (c....
32 In section 101 of the Powers of Criminal Courts (Sentencing)...
33

Amendments consequential on amendments in Part 1

34 In section 4(2B) of the Bail Act 1976 (c. 63)...
35 In paragraph 81(4) of Schedule 9 to the Constitutional Reform...

SCHEDULE 14 — Minor and consequential amendments

Prison Act 1952 (c. 52)

1 (1) Section 52 of the Prison Act 1952 (exercise of...

Criminal Damage Act 1971 (c. 48)

2 In section 10 of the Criminal Damage Act 1971 (interpretation),...

Superannuation Act 1972 (c. 11)

3 (1) In Schedule 1 to the Superannuation Act 1972 (employments...

Police Pensions Act 1976 (c. 35)

4 (1) In section 11 of the Police Pensions Act 1976...

Bail Act 1976 (c. 63)

5 In subsection (1) of— (a) section 3A of the Bail...

Criminal Damage (Northern Ireland) Order 1977 (S.I. 1977/426 (N.I. 4))

6 In Article 12 of the Criminal Damage (Northern Ireland) Order...

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Local Government (Miscellaneous Provisions) Act 1982 (c. 30)

- 7 In Schedule 3 to the Local Government (Miscellaneous Provisions) Act...

Aviation Security Act 1982 (c. 36)

- 8 (1) Part 3 of the Aviation Security Act 1982 (policing...

Police and Criminal Evidence Act 1984 (c. 60)

- 9 In section 37 of the Police and Criminal Evidence Act...
10 (1) Section 37B of that Act (consultation with the Director...
11 In section 64A of that Act (photographing of suspects etc),...

Housing Act 1985 (c. 68)

- 12 (1) Section 82A of the Housing Act 1985 (demotion because...
13 (1) Section 121A of that Act (order suspending right to...

Criminal Justice Act 1988 (c. 33)

- 14 In section 142 of the Criminal Justice Act 1988 (power...

Housing Act 1988 (c. 50)

- 15 Minor and consequential amendments

Local Government and Housing Act 1989 (c. 42)

- 16 In section 5 of the Local Government and Housing Act...

Computer Misuse Act 1990 (c. 18)

- 17 In section 2 of the Computer Misuse Act 1990 (unauthorised...
18 In the heading to section 4 of that Act (territorial...
19 (1) Section 5 of that Act (significant links with domestic...
20 In section 6 of that Act (territorial scope of inchoate...
21 In section 7 of that Act (territorial scope of inchoate...
22 In section 9 of that Act (British citizenship immaterial), in...
23 Section 11 of that Act (proceedings for offences under section...
24 Section 12 of that Act (conviction of an offence under...
25 (1) Section 13 of that Act (proceedings in Scotland) is...
26 Section 14 of that Act (search warrants for offences under...
27 (1) Section 16 of that Act (application to Northern Ireland)...
28 After that section there is inserted— Northern Ireland: search warrants...
29 (1) Section 17 of that Act (interpretation) is amended as...

Police Act 1996 (c. 16)

- 30 In section 91 of the Police Act 1996 (offence of...

Employment Rights Act 1996 (c. 18)

- 31 In section 50 of the Employment Rights Act 1996 (right...

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Housing Act 1996 (c. 52)

- 32 Minor and consequential amendments
- 33 Minor and consequential amendments

Police Act 1997 (c. 50)

- 34 In section 94 of the Police Act 1997 (authorisations given...

Audit Commission Act 1998 (c. 18)

- 35 Minor and consequential amendments

Crime and Disorder Act 1998 (c. 37)

- 36 In section 38(4) of the Crime and Disorder Act 1998...

Youth Justice and Criminal Evidence Act 1999 (c. 23)

- 37 (1) The Youth Justice and Criminal Evidence Act 1999 is...

Local Government Act 2000 (c. 22)

- 38 (1) Section 21 of the Local Government Act 2000 (overview...

Regulation of Investigatory Powers Act 2000 (c. 23)

- 39 In section 34 of the Regulation of Investigatory Powers Act...

Police Reform Act 2002 (c. 30)

- 40 In section 9 of the Police Reform Act 2002 (the...
- 41 In section 40 of that Act (community safety accreditation schemes),...
- 42 In section 41 of that Act (accreditation under community safety...
- 43 (1) Section 42 of that Act (supplementary provisions relating to...
- 44 (1) Section 46 of that Act (offences against designated and...
- 45 In section 47 of that Act (interpretation of Chapter 1),...
- 46 In section 105 of that Act (powers of Secretary of...

Railways and Transport Safety Act 2003 (c. 20)

- 47 In section 19 of the Railways and Transport Safety Act...
- 48 In section 28(1) of that Act (police powers for British...
- 49 In section 50 of that Act (policing objectives set by...
- 50 In section 52 of that Act (railways policing plan), for...
- 51 (1) Section 55 of that Act (three-year strategy plan) is...
- 52 (1) In Schedule 4 to that Act (British Transport Police...

Anti-social Behaviour Act 2003 (c. 38)

- 53 In the heading to section 25 of the Anti-social Behaviour...
- 54 (1) Section 26 of that Act (parenting orders in respect...
- 55 (1) Section 27 of that Act (parenting orders: supplemental) is...
- 56 (1) Section 28 of that Act (parenting orders: appeals) is...
- 57 In section 29(1) of that Act (interpretation of sections 25...

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Criminal Justice Act 2003 (c. 44)

58 In section 25 of the Criminal Justice Act 2003 (code...

Energy Act 2004 (c. 20)

59 In paragraph 1 of Schedule 12 to the Energy Act...

Public Audit (Wales) Act 2004 (c. 23)

60 After section 67 of the Public Audit (Wales) Act 2004...

Constitutional Reform Act 2005 (c. 4)

61 In section 8(4) of the Constitutional Reform Act 2005 (appointment...

Serious Organised Crime and Police Act 2005 (c. 15)

62 After section 75 of the Serious Organised Crime and Police...

SCHEDULE 15 — Repeals and revocations

Part 1 — POLICE REFORM

Part 2 — POWERS OF POLICE ETC

Part 3 — CRIME AND ANTI-SOCIAL BEHAVIOUR

Part 4 — MISCELLANEOUS

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