
Status: Point in time view as at 01/03/2016.

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SCHEDULES

SCHEDULE 7

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 13

REDUNDANT PROVISIONS ETC

Proof of intention to supply a controlled drug

- 122 (1) The Misuse of Drugs Act 1971 (c. 38) is amended as follows.
- (2) In section 5 (restriction of possession of controlled drugs) omit subsections (4A) to (4C).
- (3) In section 31 (general provisions as to regulations)—
- (a) in subsection (2) omit “, except as provided by subsection (2A),”, and
 - (b) omit subsections (2A) and (4A).
- (4) In section 38 (special provisions as to Northern Ireland) omit subsection (1A).

Staff custody officers

- 123 (1) The Police and Criminal Evidence Act 1984 (c. 60) is amended as follows.
- (2) In section 30CA (bail under section 30A: variation of conditions by police), in subsection (5) omit the following—
- (a) in paragraph (a)—
 - (i) “, or a person designated as a staff custody officer under section 38 of the Police Reform Act 2002,”, and
 - (ii) “or officer”, and
 - (b) in paragraph (b), “or officer”.
- (3) In section 36 (custody officers at police stations)—
- (a) for subsection (3) substitute—

“(3) No officer may be appointed a custody officer unless the officer is of at least the rank of sergeant.”,
 - (b) in subsection (5) for “an individual” substitute “an officer”,
 - (c) in subsection (7)—
 - (i) in paragraph (a), omit “or a staff custody officer” and for “such a person” substitute “such an officer”, and
 - (ii) in paragraph (b), for “such person” substitute “such officer”,
 - (d) in subsection (8) for “a person” substitute “an officer”, and
 - (e) omit subsection (11).

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- (4) In section 39 (responsibilities in relation to persons detained)—
- (a) in subsection (6)(a) omit “(or, if the custody officer is a staff custody officer, any police officer or any police employee)”, and
 - (b) omit subsection (7).
- (5) In section 55 (intimate searches), in the definition of “appropriate officer” in subsection (17), omit paragraph (c) and the “or” immediately before it.
- 124 (1) The Police and Criminal Evidence (Northern Ireland) Order 1989 (S. I. 1989/1341 (N. I. 12)) is amended as follows.
- (2) In Article 37 (custody officers at police stations)—
- (a) for paragraph (3) substitute—

“(3) No police officer may be appointed a custody officer unless the officer is of at least the rank of sergeant.”,
 - (b) in paragraph (5) for “an individual” substitute “an officer”,
 - (c) in paragraph (7)—
 - (i) in sub-paragraph (a) omit “or a staff custody officer” and for “such a person” substitute “such an officer”, and
 - (ii) in sub-paragraph (b) for “such person” substitute “such officer”,
 - (d) in paragraph (8) for “a person” substitute “an officer”, and
 - (e) omit paragraph (11).
- (3) In Article 40 (responsibilities in relation to persons detained)—
- (a) in paragraph (6)(a) omit “(or, if the custody officer is a staff custody officer, any police officer or any member of the police support staff)”, and
 - (b) omit paragraph (7).
- 125 (1) The Police Reform Act 2002 (c. 30) is amended as follows.
- (2) In section 38 (police powers for police authority employees) omit the following—
- (a) subsection (2)(e),
 - (b) subsection (6)(e), and
 - (c) subsection (10).
- (3) In Schedule 4 (powers exercisable by police civilians)—
- (a) omit Part 4A, and
 - (b) in paragraph 36(2A), for “Parts 2 and 4A” substitute “Part 2”.
- 126 (1) The Police (Northern Ireland) Act 2003 (c. 6) is amended as follows.
- (2) In section 30 (police powers for designated police support staff), omit the following—
- (a) subsection (1)(d),
 - (b) subsection (6)(d), and
 - (c) subsection (11).
- (3) In Schedule 2 (powers exercisable by designated persons) omit Part 3A.
- Secretary of State's approval of devices for taking fingerprints and samples*
- 127 (1) The Police and Criminal Evidence Act 1984 (c. 60) is amended as follows.

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- (2) In section 61 (fingerprinting in England and Wales) omit subsection (8A).
- (3) In section 63 (non-intimate samples in England and Wales) omit subsection (9A) (inserted by the Criminal Justice and Police Act 2001 (c. 16)).
- 128 (1) The Police and Criminal Evidence (Northern Ireland) Order 1989 (S. I. 1989/1341 (N. I. 12)) is amended as follows.
 - (2) In Article 61 (fingerprinting in Northern Ireland) omit paragraph (8B).
 - (3) In Article 63 (non-intimate samples in Northern Ireland) omit paragraph (10A).

Additional time limits for prosecuting persons under 18

- 129 Omit section 22A of the Prosecution of Offences Act 1985 (c. 23).

Access to driver licensing records

- 130 Omit section 105(2)(b) of the Road Traffic Act 1988 (c. 52) (access to particulars of disqualified drivers).
- 131 Omit section 36 of the Vehicles (Crime) Act 2001 (c. 3) (access to motor insurance information).
- 132 Omit Article 81 of the Road Traffic (Northern Ireland) Order 2007 (S. I. 2007/916 (N. I. 10)) (disclosure of information about insurance status of vehicles).

Minor amendment

- 133 In section 40B(7) of the Police Act 1996 (c. 16) (report about direction given by Secretary of State), for “subsection (7)” substitute “ subsection (6) ”.

Local child curfew schemes

- 134 (1) The Crime and Disorder Act 1998 (c. 37) is amended as follows.
 - (2) Omit sections 14 and 15 (which make provision for local child curfew schemes and for the enforcement of curfew notices).
 - (3) In section 16 (removal of truants to designated premises), in subsection (5), in the definition of “public place”, for “section 14 above” substitute “ Part 2 of the Public Order Act 1986 ”.

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