
STATUTORY INSTRUMENTS

1995 No. 2517

POLICE

The Police (Discipline) (Amendment No. 2) Regulations 1995

Made - - - - - *26th September 1995*

Laid before Parliament *4th October 1995*

Coming into force - - - *1st November 1995*

The Secretary of State in exercise of the powers conferred on him by section 33 of the Police Act 1964(1) and section 101 of the Police and Criminal Evidence Act 1984(2), and after satisfying the requirements of section 46(3) of the Police Act 1964(3) as to the furnishing of a draft of the Regulations to the Police Advisory Board for England and Wales, hereby makes the following Regulations:

1. These Regulations may be cited as the Police (Discipline) (Amendment No. 2) Regulations 1995 and shall come into force on 1st November 1995.

2. Schedule 3 to the Police (Discipline) Regulations 1985(4) shall be amended as follows.

3. In paragraph 2 of that Schedule, for the definition of “disciplinary board” there shall be substituted:

““disciplinary board” means a board appointed by the Commissioner for the purposes of paragraph 3, 4, 5 or 7 consisting of a chairman and two other members being officers of the force of a rank not lower than that of commander.”

4. For paragraph 4(a) of that Schedule there shall be substituted:

“(a) subject to paragraph 7, by an officer of the force of a rank not lower than that of commander appointed for the purpose by the Commissioner, or”.

5. For paragraph 6 of that Schedule there shall be substituted:

“6.—(1) A deputy assistant commissioner conducting a hearing in pursuance of paragraph 4(a) or 5(a) or a commander conducting a hearing in pursuance of paragraph 4(a) shall not, under regulation 24, impose a punishment specified in paragraph (1)(a) or (b) thereof.

(1) 1964 c. 48; section 33 was amended by section 18 and Schedule 9 of the Police and Magistrates' Courts Act 1994 (c. 29), and those amendments (except new section 33(3)) have been brought into force by S.I. 1994/2025.
(2) 1984 c. 60; section 101 is repealed by the Police and Magistrates' Courts Act 1994 but the repeal is not yet in force.
(3) Section 46(3) was amended by the Police Negotiating Board Act 1980 (c. 10).
(4) S.I. 1985/518, to which there have been amendments not relevant to this instrument.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(2) A commander conducting a hearing in pursuance of paragraph 5(a) shall not, under regulation 24, impose—

- (a) a punishment specified in paragraph (1)(a), (b) or (c) thereof;
- (b) a reduction in the accused's rate of pay for a period in excess of 26 weeks, or
- (c) a fine in excess of 7 days' pay."

Home Office
26th September 1995

David Maclean
Minister of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend Schedule 3 of the Police (Discipline) Regulations 1985, which makes provision in relation to disciplinary hearings and appeals in the Metropolitan Police force, to enable officers of the rank of commander appointed by the Commissioner, to exercise the same disciplinary functions as deputy assistant commissioners.