

2003 No. 2595

POLICE, ENGLAND AND WALES

The Police (Promotion) (Amendment) Regulations 2003

Made - - - - - 14th October 2003

Laid before Parliament 16th October 2003

Coming into force - - 15th November 2003

The Secretary of State in exercise of the powers conferred on him by section 50 of the Police Act 1996(a) and section 79A of the Police Act 1997(b), and after furnishing a draft of the Regulations to the Police Advisory Board for England and Wales and taking into consideration any representations made by that Board in accordance with section 63(3) of the Police Act 1996(c), hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Police (Promotion) (Amendment) Regulations 2003 and shall come into force on 15th November 2003.

(2) In these Regulations “the 1996 Regulations” means the Police (Promotion) Regulations 1996(d).

Amendments to 1996 Regulations

2.—(1) Regulation 2 of the 1996 Regulations is amended as follows.

(2) In paragraph (1)—

(a) in the definition “member of a police force” for “section 33(2)(1) of the Police Act 1964” there is substituted “section 50 of the Police Act 1996”; and

(b) the following definition is inserted in the appropriate place—

““member of the NCS” means a police member of the National Crime Squad appointed under section 55(1)(b) of the Police Act 1997 and includes such a police member who is suspended from membership of the Squad and the office of constable under regulations made by virtue of section 81 of the Police Act 1997”.

(3) In paragraph (2)—

(a) after “member of a police force” there is inserted “or a member of the NCS”; and

(b) for “section 53C(3) of the Police Act 1964” there is substituted “section 97(3) of the Police Act 1996”.

(4) In paragraph (3)(b) for “1995” there is inserted “2003”.

(a) 1996 c. 16.

(b) 1997 c. 50; section 79A was inserted by section 89 of the Police Reform Act 2002 (c. 30).

(c) Section 63(3) was amended by section 134(1) of, and paragraphs 72 and 83(1) and (3) of Schedule 9 to, the Police Act 1997 and by sections 90(5), 91(5) and 107(1) of, and paragraph 17 of Schedule 7 to, the Police Reform Act 2002 (c. 30).

(d) S.I. 1996/1685; amendments were made by S.I. 2002/767 and section 78(2)(f) of the Police (Northern Ireland) Act 2000 (c. 32).

- (5) In paragraph (3)(c)—
- (a) on each occasion where “police force” occurs there is inserted immediately after those words “or the National Crime Squad”; and
 - (b) for “regulation 36A(1) of the Police Regulations 1995(a)” there is substituted “regulation 29 of the Police Regulations 2003(b)”.
- 3.—(1) Regulation 3 of the 1996 Regulations is amended as follows.
- (2) In paragraph (7)(b) for “section 33 of the Police Act 1964” there is substituted “section 50 of the Police Act 1996 or section 79A of the Police Act 1997”.
- 4.—(1) Regulation 5 of the 1996 Regulations is amended as follows.
- (2) In paragraph (1) after “member of a police force” there is inserted “or a member of the NCS”.
- (3) In paragraph (1)(b) after “force” there is inserted “or, as the case may be, the Squad”.
- (4) In paragraphs (1) and (2) after “chief officer of police” there is inserted “or, in the case of a person who is on probation in the National Crime Squad, the Director General of that Squad”.
- 5.—(1) Regulation 6 of the 1996 Regulations is amended as follows.
- (2) After “member of a police force” there is inserted “or a member of the NCS”.
- 6.—(1) Regulation 7 of the 1996 Regulations is amended as follows.
- (2) In paragraphs (1), (2) and (3) after “chief officer of police” there is inserted “or, as the case may be, the Director General of the National Crime Squad”.
- 7.—(1) Schedule 1 to the 1996 Regulations is amended as follows.
- (2) In paragraph 4 after “chief officer of police” there is inserted “and the Director General of the National Crime Squad”.
- (3) For paragraph 4(c) there is substituted—
- “(c) in the case of a chief officer of police of the results in so far as they affect members of the police force of which he is chief officer and in the case of the Director General of the National Crime Squad of the results in so far as they affect members of the NCS.”.
- (4) In paragraph 5(3) and (4) after “member of a police force” there is inserted “or a member of the NCS”.
- (5) In paragraph 5(4) for “section 33 of the Police Act 1964” there is substituted “section 50 of the Police Act 1996 or section 79A of the Police Act 1997”.
- 8.—(1) Schedule 2 to the 1996 Regulations is amended as follows.
- (2) In paragraph 1 on each occasion where “member of a police force” occurs there is inserted immediately after those words “or a member of the NCS”.
- (3) In paragraph 2 for “section 33 of the Police Act 1964(c)” there is substituted “section 50 of the Police Act 1996 or section 79A of the Police Act 1997”.

Home Office
14th October 2003

Caroline Flint
Parliamentary Under-Secretary of State

(a) S.I. 1995/215; revoked by S.I. 2003/527.
(b) S.I. 2003/527.
(c) 1964 c. 48.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Police (Promotion) Regulations 1996 to extend them to police members of the National Crime Squad appointed under section 55(1)(b) of the Police Act 1997. They also update a number of references to reflect the fact that the Police Regulations 1995 have been revoked and replaced by the Police Regulations 2003 and the Police Act 1964 has been re-enacted by the Police Act 1996.

STATUTORY INSTRUMENTS

2003 No. 2595**POLICE, ENGLAND AND WALES****The Police (Promotion) (Amendment) Regulations 2003**

£1.75

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Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of
Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.
E1391 10/2003 131391 19585

ISBN 0-11-048069-4



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