

2003 No. 2596

POLICE, ENGLAND AND WALES

**The Police (Conduct) (Senior Officers) (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 81 of the Police Act 1997(b), and after supplying a draft of these Regulations to the Police Advisory Board for England and Wales and taking into consideration their representations 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 (Conduct) (Senior Officers) (Amendment) Regulations 2003 and shall come into force on 15th November 2003.

(2) In these Regulations “the 1999 Regulations” means the Police (Conduct) (Senior Officers) Regulations 1999(d).

Revocations and transitional provisions

2.—(1) Subject to the following provisions of this regulation, the National Crime Squad (Discipline) (Senior Police Members) Regulations 1998(e) (“the 1998 Regulations”) are hereby revoked.

(2) Subject to paragraph (3), where a report, complaint or allegation has been or is received in respect of conduct by a senior officer which occurred or commenced before 15th November 2003—

- (a) nothing in the 1999 Regulations shall apply, and
- (b) the 1998 Regulations shall, as far as applicable, continue to have effect.

(3) In the case of a report, complaint or allegation which—

- (a) relates to the conduct by a senior officer which occurred or commenced before 15th November 2003, but
- (b) is received on or after 15th November 2004,

the conduct shall be treated, for the purposes of this regulation, as having occurred or, as the case may be, commenced on 15th November 2003.

(a) 1996 c. 16.

(b) 1997 c. 50; section 81 was amended by section 89(2) 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.

(d) S.I. 1999/731; amendments were made by S.I.s 2000/1549 and 2001/3888.

(e) S.I. 1998/637.

Amendments to the 1999 Regulations

3.—(1) Regulation 4 of the 1999 Regulations is amended as follows.

(2) In paragraph (1) for the definition of “the appropriate authority” there is substituted—
““the appropriate authority” means, in relation to a senior officer of any police force, the police authority for the force’s area and in relation to a senior officer of the National Crime Squad, the Service Authority for that Squad;”.

(3) The following paragraph is inserted—

“(2) In these Regulations—

- (a) a reference to a police force shall include a reference to the National Crime Squad,
- (b) a reference to a police authority shall include a reference to the Service Authority for that Squad, and
- (c) a reference to a chief officer includes a reference to the Director General of that Squad.”

4.—(1) Regulation 24 of the 1999 Regulations is amended as follows.

(2) In paragraph (1) after the words “police fund” there shall be inserted “or, as the case may be, the NCS service fund kept under section 61 of the Police Act 1997”.

Home Office
14th October 2003

Caroline Flint
Parliamentary Under-Secretary of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Police (Conduct) (Senior Officers) Regulations 1999 in consequence of the National Crime Squad being able to directly recruit officers of all ranks. They extend the disciplinary procedures applicable to senior officers in police forces maintained under section 2 of the Police Act 1996 and the metropolitan police force and the City of London police to senior officers in the National Crime Squad.

The National Crime Squad (Senior Police Members) Regulations 1998 are revoked (with savings).

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