

2003 No. 2600

POLICE, ENGLAND AND WALES

**The Police (Efficiency) (Amendment No. 2)
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 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 (Efficiency) (Amendment No. 2) Regulations 2003 and shall come into force on 15th November 2003.

(2) In these Regulations “the 1999 Regulations” means the Police (Efficiency) Regulations 1999(d).

Amendments to the 1999 Regulations

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

(2) In paragraph (1) in the definitions “countersigning officer”, “personnel officer” and “reporting officer” after the words “section 15 of the 1996 Act” there shall be inserted “or section 55(1)(c) of the 1997 Act”.

(3) In paragraph (1) the following definition is inserted in the appropriate place—

““the 1997 Act” means the Police Act 1997.”

(a) 1996 c. 16; the powers in section 50 are extended by section 84(4).
(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.
(d) S.I. 1999/732; as amended by S.I.s 2000/1549, 2001/3888 and 2003/528.

(4) The following paragraphs are inserted—

“(1A) In these Regulations a reference to a police force shall include the National Crime Squad.

(1B) In these Regulations a reference to a chief officer shall include the Director General of the National Crime Squad.”

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

(2) In paragraphs (2) and (3) after the words “section 15 of the 1996 Act” there shall be inserted “or section 55(1)(c) of the 1997 Act”.

4.—(1) Regulation 10 is amended as follows.

(2) In paragraph (3)(a) the words “or, as the case may be, his performance and attendance is unsatisfactory and the conditions specified in regulation 8(2) are satisfied” are omitted.

5.—(1) Regulation 14 of the 1999 Regulations is amended as follows.

(2) In paragraph (1) the following sub-paragraph is inserted—

“(d) where the member concerned is a member of the National Crime Squad, be a member of that Squad holding the rank of assistant chief constable.”

(3) In paragraph (3)(a) for the words “paragraph (1)(a) or (c)” there is substituted “paragraph (1)(a), (c) or (d)”.

(4) In paragraph (8) after the words “section 85 of the 1996 Act” there is inserted “or section 82 of the 1997 Act as the case may be”.

6.—(1) Regulation 22 is amended as follows.

(2) For paragraphs (1) and (2) there are substituted the following paragraphs—

“(1) Subject to paragraphs (2) to (4), where the chief officer is an interested party or the circumstances in section 12A(1) or (2) of the 1996 Act^(a) or section 54(1) of the 1997 Act apply, the review shall be conducted by the deputy chief constable or assistant chief constable designated under section 12A(2) of the 1996 Act or, in the case of members of the National Crime Squad, by the Deputy Director General of that Squad.

(2) Where the deputy chief constable, designated assistant chief constable or Deputy Director General of the National Crime Squad, as the case may be, is absent or an interested party, the review shall be conducted by the chief officer of another force who has agreed to act in that capacity.”

Home Office
14th October 2003

Caroline Flint
Parliamentary Under-Secretary of State

(a) Section 12A was inserted by section 124(2) of the Criminal Justice and Police Act 2001 (c. 16).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Police (Efficiency) Regulations 1999 (“the 1999 Regulations”) in consequence of the National Crime Squad being able to directly recruit officers below the rank of assistant chief constable. The provisions applicable to police officers of the rank of chief superintendent or below in forces maintained under section 2 of the Police Act 1996 and the metropolitan police force and City of London police are applied to members of the National Crime Squad holding those ranks.

Regulation 4(2) removes otiose wording from regulation 10(3)(a) of 1999 Regulations and consequential changes are made to regulation 22 of the 1999 Regulations to reflect the reintroduction of the rank of deputy chief constable.

STATUTORY INSTRUMENTS

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