
STATUTORY INSTRUMENTS

2006 No. 3449

The Police (Amendment) (No. 2) Regulations 2006

Amendments to the 2003 Regulations

2.—(1) Regulation 7 of the 2003 Regulations (business interests incompatible with membership of a police force) is amended as follows.

(2) In paragraph (1)—

- (a) omit the words “or a relative included in his family”; and
- (b) for the words “was disclosed at the time of his appointment as a member of the force” substitute the words “has previously been disclosed”.

(3) After paragraph (1) insert the following paragraph—

“(1A) If a member of a police force is or becomes aware that a relative included in his family proposes to have, or has, a business interest within the meaning of this regulation which in the opinion of that member interferes, or could be seen as interfering, with the impartial discharge of his duties, then that member shall forthwith give written notice of that interest to the chief officer unless that business interest has previously been disclosed.”

(4) In paragraph (2)—

- (a) for the words “a notice given under paragraph (1)” substitute “a notice given under paragraph (1) or (1A) or a referral given under paragraph (5A)”;
- (b) after the words “that notice” insert “or, as the case may be, that referral”.

(5) After paragraph (2) insert the following paragraph—

“(2A) In making a determination under paragraph (2) the chief officer shall have regard to whether as a result of the interest in question the member’s conduct fails, or would fail, to meet the appropriate standard set out in the Code of Conduct in Schedule 1 to the Police (Conduct) Regulations 2004(1).”

(6) In paragraph (5) after the words “the police authority shall,” insert “subject to paragraph (5A),”.

(7) After paragraph (5) insert the following paragraph—

“(5A) In a case where it appears to the police authority that—

- (a) the member has adduced substantive reasons why he or a relative included in his family should be permitted to have the business interest in question and those reasons have not been considered by the chief officer, or
- (b) in reaching his determination under paragraph (2) the chief officer failed to apply fair procedures,

then the authority may refer the matter back to the chief officer for redetermination under paragraph (2).”

Status: This is the original version (as it was originally made).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