

2008 No. 82

POLICE, ENGLAND AND WALES

The Police Authorities (Particular Functions and Transitional Provisions) Order 2008

<i>Made</i> - - - -	<i>3rd January 2008</i>
<i>Laid before Parliament</i>	<i>18th January 2008</i>
<i>Coming into force</i> - -	<i>14th March 2008</i>

The Secretary of State makes the following Order in exercise of the powers conferred by section 6ZA of the Police Act 1996 (a) and section 51 of the Police and Justice Act 2006(b).

In accordance with section 6ZA(3) of the Police Act 1996, he has consulted with the Association of Police Authorities, the Association of Chief Police Officers and such other persons as he thinks fit.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Police Authorities (Particular Functions and Transitional Provisions) Order 2008 and shall come into force on 14th March 2008.

(2) In this Order the “1996 Act” means the Police Act 1996.

Particular Functions of a Police Authority

2. Police authorities shall have conferred on them the particular functions set out in articles 3 to 5.

3. A police authority shall monitor the performance of the police force maintained for its area in—

- (a) complying with the duties imposed on that force by the Human Rights Act 1998(c); and
- (b) carrying out any plan issued by virtue of section 6ZB of the 1996 Act(d).

4. A police authority shall secure that arrangements are made for the police force maintained for its area to cooperate with other police forces where such cooperation would be —

- (a) in the interests of the efficiency or effectiveness of the police force maintained for its area; or
- (b) in the interests of the efficiency or effectiveness of one or more police forces maintained for the areas of other police authorities.

(a) 1996 c.16. Section 6ZA was inserted by section 2 of, and paragraph 8 of Schedule 2 to, the Police and Justice Act 2006 (c.48).
(b) 2006 c.48.
(c) 1998 c.42.
(d) Section 6ZB was inserted by section 2 of, and paragraph 9 of Schedule 2 to, the Police and Justice Act 2006, but is not yet in force.

5. A police authority shall promote equality and diversity within the police force maintained for its area and within the authority.

Transitional provision

6. Until the commencement of paragraph 9 of Schedule 2 to the Police and Justice Act 2006 and the subsequent issue of a plan by a police authority under section 6ZB of the 1996 Act article 3(b) shall have no effect in relation to that authority.

Home Office
3rd January 2008

Tony McNulty
Minister of State

EXPLANATORY NOTE

(This note is not part of the Order)

By this Order the Secretary of State confers particular functions on police authorities under section 6ZA of the Police Act 1996 (“the 1996 Act”).

Section 6 of the 1996 Act provides that police authorities shall have a number of general functions. The Police and Justice Act 2006 inserts a new section 6ZA into the 1996 Act. Under this section the Secretary of State can confer additional particular functions on police authorities and this Order confers a number of such functions. Article 3 of this Order requires police authorities to monitor the compliance of the force maintained for their area with the duties imposed under the Human Rights Act 1998 and with the authority’s policing plan issued under section 6ZB of the 1996 Act. Article 6 provides that until that section is in force and a plan actually issued that requirement has no effect.

Article 4 requires the police authority to secure that there are arrangements in force to secure that their force cooperate with other forces where it would be in the interests of the efficiency and effectiveness of their force or would promote the efficiency and effectiveness of one or more other forces. Article 5 requires the police authority to promote equality and diversity within their force and the authority.

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