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STATUTORY INSTRUMENTS

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**2009 No. 2133**

**The UK Border Agency (Complaints  
and Misconduct) Regulations 2009**

**PART 1**

**COMPLAINTS AND MISCONDUCT**

**Co-operation, assistance and information**

**10.**—(1) It shall be the duty of the relevant appropriate authority, the Chief Inspector of the UKBA, Her Majesty's Chief Inspector of Prisons and the Prisons and Probation Ombudsman to ensure that they are kept informed, in relation to relevant officers, relevant officials of the Secretary of State and officials exercising customs revenue functions, about all matters falling within paragraph (2).

(2) Those matters are—

- (a) matters with respect to which any provision of these Regulations has effect;
- (b) anything which is done under or for the purposes of any such provision; and
- (c) any obligations to act or refrain from acting that have arisen by or under these Regulations but have not yet been complied with, or have been contravened.

(3) Where the relevant appropriate authority requires a chief officer to provide a member of his force for appointment under regulation 38 (investigation by a police force at the request of the relevant appropriate authority) or where the IPCC requires the chief officer to provide a member of his force for appointment under regulation 40 (investigation by a police force under the management or under the supervision of the IPCC) it shall be the duty of the chief officer to whom the requirement is addressed to comply with it.

(4) It shall be the duty of the Secretary of State, the relevant appropriate authority, a police authority maintaining a police force within which a person is appointed under regulation 38 or 40 and the chief officer of a police force appointed under regulation 38 or 40 to provide—

- (a) the IPCC and every member of the IPCC's staff with all such assistance and co-operation as the IPCC or that member of staff may reasonably require for the purposes of, or in connection with, the carrying out of any investigation by the IPCC under these Regulations; and
- (b) the relevant appropriate authority and every member of the relevant appropriate authority's staff with all such assistance and co-operation as the relevant appropriate authority or that member of staff may reasonably require for the purposes of, or in connection with, the carrying out of any investigation by the relevant appropriate authority under these Regulations.

(5) It shall be the duty of the relevant appropriate authority to ensure that a person appointed under regulations 38, 39 (investigations supervised by the IPCC), 40, 41 (investigations managed by the IPCC) and 42 (investigations by the IPCC itself) to carry out an investigation or part of an

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investigation is given all such assistance and co-operation in the carrying out of that investigation as that person may reasonably require.