

Changes to legislation: There are currently no known outstanding effects for the Police Act 1996, Cross Heading: Inspections by other inspectors of organisations within remit of inspectors of constabulary. (See end of Document for details)

SCHEDULES

^{F1}SCHEDULE 4A

FURTHER PROVISION ABOUT HER MAJESTY'S INSPECTORS OF CONSTABULARY

Textual Amendments

- F1** Sch. 4A paras. 6A-6F and cross-headings substituted for Sch. 4A paras. 6A, 6B and cross-headings (31.1.2017 for specified purposes, 2.5.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), [ss. 36\(1\)](#), [183\(1\)\(5\)\(e\)](#); S.I. 2017/399, reg. 4(a)
- F1** Sch. 4A inserted (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), [ss. 29\(2\)](#), [53\(1\)](#); S.I. 2007/709, art. 3(m) (with art. 6)

Modifications etc. (not altering text)

- C1** Sch. 4A modified (temp.) (1.10.2008) by [The Health and Social Care Act 2008 \(Consequential Amendments and Transitory Provisions\) Order 2008 \(S.I. 2008/2250\)](#), arts. 1(1), [3\(4\)](#)

Inspections by other inspectors of organisations within remit of inspectors of constabulary

- 3 (1) If—
- (a) a person or body within sub-paragraph (2) is proposing to carry out an inspection that would involve inspecting a specified organisation, and
 - (b) the chief inspector of constabulary considers that the proposed inspection would impose an unreasonable burden on that organisation, or would do so if carried out in a particular manner,
- the chief inspector of constabulary shall, subject to sub-paragraph (7), give a notice to that person or body not to carry out the proposed inspection, or not to carry it out in that manner.
- (2) The persons or bodies within this sub-paragraph are—
- (a) Her Majesty's Chief Inspector of Prisons;
 - (b) Her Majesty's Chief Inspector of the Crown Prosecution Service;
 - (c) [^{F2}Her Majesty's Inspectorate of Probation for England and Wales] ;
 - [^{F3}(d) the Care Quality Commission;]
 - ^{F4}(e)
- (3) The Secretary of State may by order amend sub-paragraph (2).
- (4) In sub-paragraph (1)(a) “specified organisation” means a person or body specified by an order made by the Secretary of State.
- (5) A person or body may be specified under sub-paragraph (4) only if it exercises functions in relation to any matter falling within the scope of the duties of the inspectors of constabulary under section 54 of this Act or any other enactment.

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- (6) A person or body may be specified under sub-paragraph (4) in relation to particular functions that it has.

In the case of a person or body so specified, sub-paragraph (1)(a) is to be read as referring to an inspection that would involve inspecting the discharge of any of its functions in relation to which it is specified.

- (7) The Secretary of State may by order specify cases or circumstances in which a notice need not, or may not, be given under this paragraph.
- (8) Where a notice is given under this paragraph, the proposed inspection is not to be carried out, or (as the case may be) is not to be carried out in the manner mentioned in the notice.

This is subject to sub-paragraph (9).

- (9) The Secretary of State, if satisfied that the proposed inspection—
- (a) would not impose an unreasonable burden on the organisation in question, or
 - (b) would not do so if carried out in a particular manner,
- may give consent to the inspection being carried out, or being carried out in that manner.
- (10) The Secretary of State may by order make provision supplementing that made by this paragraph, including in particular—
- (a) provision about the form of notices;
 - (b) provision prescribing the period within which notices are to be given;
 - (c) provision prescribing circumstances in which notices are, or are not, to be made public;
 - (d) provision for revising or withdrawing notices;
 - (e) provision for setting aside notices not validly given.]

Textual Amendments

- F2** Words in Sch. 4A para. 3(2)(c) substituted (1.4.2008) by [The Offender Management Act 2007 \(Consequential Amendments\) Order 2008 \(S.I. 2008/912\)](#), art. 1, **Sch. 1 para. 26(2)(b)**
- F3** Sch. 4A para. 3(2)(d) substituted (1.4.2009) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), **Sch. 5 para. 63(3)**; S.I. 2009/462, art. 2(1), Sch. 1 para. 35(x)
- F4** Sch. 4A para. 3(2)(e) omitted (1.4.2015) by virtue of [Local Audit and Accountability Act 2014 \(c. 2\)](#), s. 49(1), **Sch. 12 para. 31(3)**; S.I. 2015/841, art. 3(x)

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