

Changes to legislation: There are currently no known outstanding effects for the Police and Justice Act 2006, SCHEDULE 5. (See end of Document for details)

SCHEDULES

SCHEDULE 5

Section 9

EXERCISE OF POLICE POWERS BY CIVILIANS

1 The Police Reform Act 2002 (c. 30) is amended as follows.

Commencement Information

I1 Sch. 5 para. 1 in force at 1.12.2007 by S.I. 2007/3203, art. 2(c)

2 (1) Section 38 (police powers for police authority employees) is amended as follows.

(2) In subsection (4)(c) (person not to be designated unless adequately trained), after “conferred” there is inserted “ or imposed ”.

^{F1}(3)

^{F1}(4)

Textual Amendments

F1 Sch. 5 para. 2(3)(4) omitted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by virtue of Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), Sch. 12 para. 21(4); S.I. 2017/1139, reg. 2(k) (as amended by S.I. 2017/1162, reg. 2)

Commencement Information

I2 Sch. 5 para. 2 in force at 1.12.2007 by S.I. 2007/3203, art. 2(c)

^{F2}3

Textual Amendments

F2 Sch. 5 para. 3 omitted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by virtue of Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), Sch. 12 para. 21(4); S.I. 2017/1139, reg. 2(k) (as amended by S.I. 2017/1162, reg. 2)

4 In section 105 (orders and regulations), in subsection (3)(b), after “section 19(3)” there is inserted “, 38A(4)”.

Commencement Information

I3 Sch. 5 para. 4 in force at 1.4.2007 by S.I. 2007/709, art. 3(h) (with arts. 6, 7)

5 (1) Schedule 4 (powers exercisable by police civilians) is amended as follows.

^{F3}(2)

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F3(3)

F3(4)

F3(5)

F3(6)

F3(7)

F3(8)

F3(9)

(10) In paragraphs 34(2) and 35(4) (escort officer's powers to carry out non-intimate searches of persons), for “designation under” there is substituted “ application of ”.

F4(11)

(12) In paragraph 36(1)(a) (meaning of “the relevant police area”), for “designation” there is substituted “ person designated ”.

(13) In paragraph 36, for sub-paragraphs (2) and (3) there is substituted—

“(2) In Part 1 of this Schedule “a designation” means—

(a) a designation under section 38, or

(b) an order under section 38A(1) (and, accordingly, the power to make such an order—

(i) is extended by paragraphs 1(3)(b), 1A(2) and (7), 2(6) and 4(1)(b), but

(ii) is subject to paragraphs 2(2), 4(2) and 11B(5)).

(2A) In Parts 2 and 4A of this Schedule “a designation” means a designation under section 38.

(3) In Parts 3 and 4 of this Schedule “a designation” means a designation under section 38 or 39.”

Textual Amendments

F3 Sch. 5 para. 5(2)-(9) omitted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by virtue of [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 12 para. 21\(4\)](#); [S.I. 2017/1139](#), reg. 2(k) (as amended by [S.I. 2017/1162](#), reg. 2)

F4 Sch. 5 para. 5(11) repealed (12.1.2009) by [Policing and Crime Act 2009 \(c. 26\)](#), s. 116(6)(b), [Sch. 8 Pt. 13](#)

Commencement Information

I4 Sch. 5 para. 5(1) (2)(b) (3)-(10) (12) (13) in force at 1.12.2007 by [S.I. 2007/3203](#), [art. 2\(c\)](#)

6 (1) Paragraph 1 of Schedule 5 (power of accredited persons to issue fixed penalty notices) is amended as follows.

(2) In sub-paragraph (2) (powers conferred on a person when paragraph 1 is applied to him), in the words before paragraph (a) (which refer to a relevant offence), after “relevant” there is inserted “ fixed penalty ”.

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(3) In sub-paragraph (3)(a) (meaning of “relevant fixed penalty offence” in paragraph 1), for “(c)” there is substituted “(d)”.

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Commencement Information

I5 Sch. 5 para. 6 in force at 1.12.2007 by S.I. 2007/3203, art. 2(c)

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